

**OFFICIAL JOURNAL**  
**OF THE**  
**HOUSE OF**  
**REPRESENTATIVES**  
**OF THE**  
**STATE OF LOUISIANA**

**SEVENTEENTH DAY'S PROCEEDINGS**

**Twenty-ninth Regular Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Thursday, May 1, 2003

The House of Representatives was called to order at 1:00 P.M., by the Honorable Charlie DeWitt, Speaker of the House of Representatives.

**Morning Hour**

**ROLL CALL**

The roll being called, the following members answered to their names:

**PRESENT**

Mr. Speaker	Fruge	Odinet
Alario	Futrell	Perkins
Alexander	Gallot	Psychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Curtis	Katz	Sneed
Damico	Kennard	Stelly
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devillier	Lancaster	Thompson
Diez	Landrieu	Toomy
Doerge	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell

Erdey	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Total—105		

ABSENT

Total—0

The Speaker announced that there were 105 members present and a quorum.

**Prayer**

Prayer was offered by Rep. Salter.

**Pledge of Allegiance**

The Art class of South Highlands Magnet School of Shreveport, Louisiana, led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

**Reading of the Journal**

On motion of Rep. Frith, the reading of the Journal was dispensed with.

On motion of Rep. Frith, the Journal of April 30, 2003, was adopted.

**Petitions, Memorials and  
Communications**

The following petitions, memorials, and communications were received and read:

**Message from the Senate**

**SENATE BILLS**

May 1, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 208, 280, 663, and 966

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Suspension of the Rules**

On motion of Rep. Cazayoux, the rules were suspended in order to take up the bills contained in the message at this time.

**Senate Bills and Joint Resolutions  
on First Reading**

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

## Page 2 HOUSE

17th Day's Proceedings - May 1, 2003

### **SENATE BILL NO. 208—** BY SENATORS MARIONNEAUX AND CAIN AN ACT

To amend and reenact the introductory paragraph of R.S. 32:387.7, R.S. 32:387.7(3), the introductory paragraph of R.S. 32:387.9, R.S. 32:387.9(3) and (5), and to enact R.S. 32:387.7(5) and 387.9(6), relative to special permits; to provide for the issuance of special sugarcane and agronomic or horticultural permits to operators of vehicles; to provide for the specificity of such permits; and to provide for related matters.

Read by title.

### **SENATE BILL NO. 280—** BY SENATOR BEAN AN ACT

To amend and reenact R.S. 34:3160(D), relative to ports; to increase the maximum term of certain contracts, leases, and other agreements which may be entered into by the Caddo-Bossier Parishes Port Commission; and to provide for related matters.

Read by title.

### **SENATE BILL NO. 663—** BY SENATOR HEITMEIER AND REPRESENTATIVES MONTGOMERY AND SCALISE AN ACT

To enact R.S. 27:3(24), relative to the Louisiana Gaming Control Law; to provide for a definition of a "Louisiana business", "Louisiana company", or "Louisiana corporation"; and to provide for related matters.

Read by title.

### **SENATE BILL NO. 966—** BY SENATOR SCHEDLER AN ACT

To amend and reenact R.S. 46:2601(A)(3), 2602(A) and (B)(7), (D), and (E), 2603(A), 2604(B)(4), 2605(B)(7), (10), (20), (26), (37), and (38), (C) and (E), and 2607, and to enact R.S. 46:2602(B)(12) and 2604(E), relative to the Children's Cabinet; to provide for its duties; to provide for the membership of the cabinet; to revise membership on the advisory board; to extend the termination date of the cabinet; and to provide for related matters.

Read by title.

### **House and House Concurrent Resolutions**

The following House and House Concurrent Resolutions lying over were taken up and acted upon as follows:

### **HOUSE CONCURRENT RESOLUTION NO. 138—** BY REPRESENTATIVE R. CARTER A CONCURRENT RESOLUTION

To request that the Louisiana State Law Institute study the elimination of the concept of lesion from Louisiana law.

Read by title.

Under the rules, the above resolution was referred to the Committee on House and Governmental Affairs.

### **HOUSE CONCURRENT RESOLUTION NO. 139—** BY REPRESENTATIVE WINSTON A CONCURRENT RESOLUTION

To urge and request the Louisiana Judicial College to institute mandatory continuing legal education for judges on the family law topics of child custody and child support guidelines.

Read by title.

Under the rules, the above resolution was referred to the Committee on Judiciary.

### **Senate Bills and Joint Resolutions on Second Reading to be Referred**

The following Senate Bills and Joint Resolutions on second reading to be referred were taken up, read, and referred to committees, as follows:

### **SENATE BILL NO. 7—** BY SENATOR THEUNISSEN AND REPRESENTATIVES JOHN SMITH AND MCDONALD AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(a)(iii), relative to the Tuition Opportunity Program for Students; to provide for the time period in which a nonresident on active duty with the United States Armed Forces who is stationed in Louisiana under permanent change of station orders must change his military records to establish Louisiana as his official state of legal residence in order for a dependent child to be eligible for an award; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Education.

### **SENATE BILL NO. 23—** BY SENATOR MARIONNEAUX AN ACT

To amend and reenact R.S. 24:14(A), relative to Senate confirmation; to provide for removal from office upon expiration of an appointed term; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on House and Governmental Affairs.

### **SENATE BILL NO. 41—** BY SENATOR MCPHERSON AN ACT

To amend and reenact R.S. 48:217(A), relative to roads and highways; to provide for the acquisition of rights-of-way on certain highway projects; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Transportation, Highways and Public Works.

### **SENATE BILL NO. 44—** BY SENATOR MCPHERSON AN ACT

To amend and reenact R.S. 48:252(A)(2) and (B)(1), relative to roads and highways; provides for alternate bids on selected highway project contracts; requires quarterly reports on the bids; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Transportation, Highways and Public Works.

**SENATE BILL NO. 46—**  
BY SENATOR MCPHERSON

## AN ACT

To enact R.S. 17:3048.1(W), relative to the Tuition Opportunity Program for Students; to provide for the use of awards at eligible Louisiana colleges and universities by students who are otherwise qualified for a program award and who enroll as first-time freshmen in an out-of-state college or university; to provide conditions and limitations; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Education.

**SENATE BILL NO. 71—**  
BY SENATOR DUPRE

## AN ACT

To amend and reenact R.S. 32:666(A), relative to the offense of driving while intoxicated; to provide for penalties for such offense in the case of a fatal crash or a crash resulting in serious injury which involves alcohol; to require that such penalties be the same as those imposed for a first offense violation of driving while intoxicated; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

**SENATE BILL NO. 82—**  
BY SENATORS THEUNISSEN AND HOYT

## AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(e)(vi), and (B)(2)(b)(vi) and (c)(vi), relative to the Tuition Opportunity Program for Students; to include certain agriscience courses as a science option in the core curriculum; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Education.

**SENATE BILL NO. 99—**  
BY SENATORS CAIN, FONTENOT, HOLLIS, HOYT AND MCPHERSON

## AN ACT

To amend and reenact R.S. 36:358(C), R.S. 38:3076(A)(introductory paragraph), and R.S. 49:968(B)(11), to enact R.S. 36:359(K) and 802.18, R.S. 38:3076(A)(24), 3087.136(4), and Chapter 13-A-1 of Title 38 of the Louisiana Revised Statutes of 1950, comprised of 3097.1 through 3097.6, and to repeal R.S. 36:4(X) and Chapter 13-C of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:3099.1 through 3099.4, relative to ground water resources in the state of Louisiana; to provide for the powers, duties, functions, and responsibilities of the commissioner of conservation relative to ground water management; to create the Ground Water Resources Commission; to provide for the powers, duties, functions, and responsibilities of the commission; to provide for determination of critical ground water areas; to provide for preservation and management of ground water resources in critical ground water areas; to provide for duties of the Sparta Groundwater Conservation District and the Capital Area Groundwater Conservation District; to provide for registration for certain water wells; to provide for the Ground Water Management Task Force; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Environment.

**SENATE BILL NO. 108—**  
BY SENATOR HOYT

## AN ACT

To enact Part VIII of Chapter 4 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:571.50 through 571.52, relative to district courts; to authorize each judicial district to establish job intervention programs for first-time offenders convicted of certain offenses; to provide for program administration; to provide for eligibility; to specify conditions of participation; to require each participant to enter into a probation agreement; to provide for the terms of such an agreement; to provide for the responsibilities of any participating employer; to provide for program evaluation; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Judiciary.

**SENATE BILL NO. 143—**  
BY SENATOR DUPRE

## AN ACT

To amend and reenact R.S. 14:98(B)(2), (C)(2) and (K), R.S. 15:306(A) and R.S. 32:378.2(A)(2)(a)(i) and 667(B)(1) and (3) and to enact R.S. 32:414(A)(1)(c), relative to driving while intoxicated; to provide relative to penalties for first or second offense driving while intoxicated under certain circumstances; to increase the time for suspension of driver's licenses for such offenses; to authorize a restricted license under certain conditions; to prohibit a restricted license under certain circumstances; to require the installation of an ignition interlock device for such authorization; to require installation of an ignition interlock device during certain periods of suspension; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

**SENATE BILL NO. 166—**  
BY SENATOR FIELDS

## AN ACT

To amend and reenact R.S. 17:3911(B)(1)(k) and to enact R.S. 17:3911(B)(1)(l), (m), (n), and (o), relative to school accountability; to provide for the release of certain school or district level data; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Education.

**SENATE BILL NO. 245—**  
BY SENATOR HAINKEL

## AN ACT

To amend and reenact R.S. 22:636.2(A)(3), 636.4(E)(2)(a), 1382(A)(3)(a)(iv), 1401, 1402, 1403(D), 1404, 1404.1, 1404.2, 1404.3, 1405(A), (C), (D)(2) and (5), (G), and (I)(1)(a) and (2), 1406(A), (B), (C), (D)(7), and (E), 1406.1, 1406.2(1), the introductory paragraph of R.S. 22:1406.2(2), R.S. 22:1406.3(B) and (C), 1406.6(A), 1406.7, 1406.8(A) and (D), 1406.10, 1406.11, 1406.12, 1407, 1408(A) and (C), 1409(A), (B), (D), (E), and (G), the introductory paragraph of R.S. 22:1410(A), R.S. 22:1410(A)(1), (B) and (C), 1411, 1412(B), 1413(B), 1414(B), 1415, 1417(A) and (B), 1417.1, 1418, 1419(B), 1420, 1422, 1422.1, 1423(A), (B), and (E), 1424, 1431, 1432(1), the

## Page 4 HOUSE

17th Day's Proceedings - May 1, 2003

introductory paragraph of R.S. 22:1432(2), R.S. 22:1432(6), 1436(A) and (B), 1437(A)(1) and (2)(g) and (B), 1438(A)(1) and (C), 1440, 1441, 1442, 1443, 1444, 1446, 1447, 1459(A), and 2092.5(C)(2), R.S. 23:1392(1) and (8)(a) and 1395(A), R.S. 32:430(M) and 1043(A), R.S. 40:1299.44(A)(2)(b), (c), and (f) and (6)(a) and 1308(C)(6), to enact R.S. 22:1402.1, 1402.2, and 1402.3, and to repeal R.S. 22:15(B)(1)(h), 1406(F), 1450.4, and 1450.5, relative to insurance rate regulation; to limit the authority of the Louisiana Insurance Rating Commission; to provide for transition of certain functions, duties, and obligations from the commission to the Department of Insurance; to limit the authority of the department; to replace the commission with the department for receipt of certain reports, plans, and revenues; to permit the department to review and approve certain filings; to eliminate the rate making requirements for certain property and casualty insurers; to permit the department to enforce certain rate reductions; to permit the attorney general to represent the citizens of the state before the department; to provide for appeals to the Louisiana Insurance Rating Commission; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Insurance.

### **SENATE BILL NO. 296—** BY SENATOR DARDENNE

#### AN ACT

To amend and reenact R.S. 37:786, relative to the practice of dentistry; to provide for judicial review of decisions made by the board of dentistry; to provide for procedures; to provide for the furnishing of security; to provide for the filing of additional evidence; to provide for reversal or modification of board decisions under certain specified circumstances; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

### **SENATE BILL NO. 339—** BY SENATOR IRONS

#### AN ACT

To enact R.S. 47:463.111, relative to motor vehicle license plates; to provide for a special prestige license plate for Invest in Children; to provide for its charge; to provide for the distribution and use of the monies; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Transportation, Highways and Public Works.

### **SENATE BILL NO. 381—** BY SENATOR SCHEDLER

#### AN ACT

To amend and reenact R.S. 30:2011(A)(3) and (D)(23), 2074(A)(4) and (B)(8), 2080, 2081, 2083, and R.S. 40:2821(B)(4) and (5), 2822(1), 2824, 2825(A)(2)(c) and (f), 2826(A), (B), (D), (E), and (F), and to enact R.S. 36:254.1, relative to public health and safety; to provide for the transfer of authority from the Department of Environmental Quality to the Department of Health and Hospitals relative to the administering of the fund; to authorize the Department of Health and Hospitals to issue tax-exempt and/or taxable debt relative to the fund; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Environment.

### **SENATE BILL NO. 479—** BY SENATOR CHAISSON

#### AN ACT

To amend and reenact R.S. 32:300(A) and to enact R.S. 32:300(F), relative to alcoholic beverages; to prohibit passengers in motor vehicles from possessing open alcoholic beverage containers; to prohibit such persons from consuming alcoholic beverages; to provide for exceptions; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Transportation, Highways and Public Works.

### **SENATE BILL NO. 482—** BY SENATOR CHAISSON

#### AN ACT

To amend and reenact R.S. 27:302(A)(5)(j), relative to the Video Draw Poker Devices Control Law; to provide with respect to description and specification of devices; to provide for use of thermal printers in video gaming devices and other alternate means of capturing duplicate information of a ticket voucher; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

### **SENATE BILL NO. 551—**

BY SENATORS B. JONES AND HOYT AND REPRESENTATIVE LANDRIEU

#### AN ACT

To amend and reenact R.S. 36:459(A), R.S. 47:301(2), (3)(b), introductory paragraph of (4), (4)(a), (b), (c), (h), (j), and (l), (8)(b), (10)(a)(i), (ii), and (vi), (b), (c), and (l), (14)(g)(i) and (i)(i), (15), (16)(d)(i) and (i), (h)(i), (ii), (iii), and (iv), and (i), (18)(a)(i), and (19), 302(D), 305(A), (B), (C), the introductory paragraph of (D)(1), (D)(1)(j), (k), (l), (m), (n), (o), (p), (q), (r), (s), and (u), (2), (3), and (4), (E), (F), (G), and (H), 305.1(A) and (B), 305.3, 305.6, 305.7, 305.8, 305.13, 305.14(A)(1), 305.19, 305.26, 305.31(B), 305.36(A), 305.39, the introductory paragraph of 305.40(A), 305.42, and 305.48, to enact R.S. 47:301(25), (26), and (27), and Chapter 2D of Subtitle II of Title 47 of the Louisiana Revised Statutes to be comprised of R.S. 47:337.1 through 337.87, and R.S. 36:459(H), and to repeal R.S. 33:2713.1, 2716(A), 2716.1, 2716.2, 2717, 2718, 2718.1, 2718.2, 2718.3, 2718.4, 2718.5, 2719, 2720, 2720.1, 2737(G), 2741.1, 2844, 2844.1, 2844.2, 2845, 2845.1, 2846, and 2847, and R.S. 47:1515, relative to the sales and use tax of political subdivisions; to enact a uniform local sales tax code; to provide for the levy, collection, enforcement, and administration of local sales and use taxes; to provide for certain civil and criminal penalties; to provide for construction and interpretation of the code; to prohibit the state from assuming collection of local sales and use taxes; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

### **SENATE BILL NO. 554—** BY SENATOR DUPRE

#### AN ACT

To amend and reenact R.S. 14:98(K)(1) and (K)(2)(a) and the introductory paragraph of 334(A), R.S. 32:378.2(A)(1) and (2)(a), 414(A)(1)(b) and (3)(c) and (B)(2)(b), the introductory paragraph

of 415.1(A)(1), 430(E) and (F)(1), 667(B)(3), and 668(B)(1)(c), to enact R.S. 14:98(C)(4) and (K)(4) and to repeal R.S. 15:306, relative to driver's licenses; to prohibit any person placed on probation or had his license suspended for a second or subsequent conviction of driving while intoxicated from obtaining a restricted driver's license; to remove the exception allowing such person to obtain a restricted license if an ignition interlock device is installed on his motor vehicle; to authorize a license at the conclusion of such license suspension with the installation of an ignition interlock device; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Transportation, Highways and Public Works.

**SENATE BILL NO. 590—**  
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 37:793(A)(1) and (2), (B)(1), (2), and (3), (D)(1) and (F), and to enact R.S. 37:795(B)(2)(q) and (r), relative to dentistry; to provide with respect to the administration of certain types of anesthesia; to provide for new fees; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

**SENATE BILL NO. 596—**  
BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 13:352(C), relative to court of appeal clerks; to provide for reimbursement to judges of the courts of appeal for expenses incurred while on official duty; to provide that such reimbursement be payable out of self-generated funds; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Judiciary.

**SENATE BILL NO. 698—**  
BY SENATOR ULLO

AN ACT

To enact R.S. 40:2009.20(D), relative to abuse and neglect laws; to require hospitals to display laws which require mandatory reporting instances of abuse and neglect; to provide for such requirement to be permanently displayed in emergency rooms; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

**SENATE BILL NO. 721—**  
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 22:1401(J)(2), (3), and (4) and to enact R.S. 22:1401(J)(6), relative to property and casualty insurance rates; to provide for the Louisiana Insurance Rating Commission; to provide for flexible rating; to provide for file and use; to provide for limitations; to provide for procedures; to provide for reports; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Insurance.

**SENATE BILL NO. 756—**  
BY SENATOR HOYT

AN ACT

To amend and reenact R.S. 14:43(A) and the introductory paragraph of R.S. 14:43.1(A), relative to rape and sexual battery; to provide relative to the crime of simple rape; to provide relative to the crime of sexual battery; to provide relative to the spouse of the offender; to repeal the exception that such relationship precludes the occurrence of such crimes; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

**SENATE BILL NO. 843—**  
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 45:844.14(A)(1), relative to the Telephone Solicitation Relief Act of 2001; provides relative to listing procedures; repeals the five dollar initial listing and renewal charge; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Commerce.

**SENATE BILL NO. 846—**  
BY SENATOR ELLINGTON

AN ACT

To enact R.S. 33:2740.55, relative to special taxing districts in the town of Columbia; to provide for the creation of a downtown development district; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

**SENATE BILL NO. 866—**  
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 37:3003(B)(1), relative to the State Board of Medical Examiners and occupational therapists; to provide for direct access to the services of occupational therapists; to eliminate the necessity for a referral to occupational therapy services; to increase the categories of medical professionals who can refer to occupational therapists; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

**SENATE BILL NO. 895—**  
BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 51:924(A), relative to economic development; to provide for membership of the State Board of Commerce and Industry; to provide for terms of office; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Commerce.

## Page 6 HOUSE

17th Day's Proceedings - May 1, 2003

### **SENATE BILL NO. 901—** BY SENATOR JOHNSON

#### **AN ACT**

To amend and reenact R.S. 40:1300.26 and 1300.46, relative to health; to authorize adoption of ordinances regulating smoking in the workplace and public places; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

### **SENATE BILL NO. 974—** BY SENATOR SCHEDLER

#### **AN ACT**

To enact R.S. 46:153.5, relative to Mental Health Rehabilitation Program providers; to provide for mandatory accreditation of providers of mental health rehabilitation services by an accreditation body; to provide authorization for rulemaking; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

### **SENATE BILL NO. 1029—** BY SENATORS HOLLIS AND B. JONES

#### **AN ACT**

To amend and reenact R.S. 51:2452(A), 2453(1)(b)(i), and 2453(4), relative to the quality jobs program; to provide that out-of-state employees relocating to Louisiana qualify as "new direct jobs" under the "Louisiana Quality Jobs Program Act"; to provide for technical and grammatical changes and for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

#### **Motion**

On motion of Rep. Scalise, the Committee on Commerce was discharged from further consideration of Senate Bill No. 466.

### **SENATE BILL NO. 466—** BY SENATOR HOLLIS

#### **AN ACT**

To repeal R.S. 6:829, relative to savings and loan association investments; to repeal the restriction on investments in non-liquid assets; and to provide for related matters.

Read by title.

#### **Motion**

On motion of Rep. Scalise, the bill was returned to the calendar.

#### **Motion**

On motion of Rep. Pinac, the Committee on Commerce was discharged from further consideration of Senate Bill No. 493.

### **SENATE BILL NO. 493—** BY SENATOR HOLLIS

#### **AN ACT**

To amend and reenact R.S. 6:822(2)(r), relative to loans and investments by associations; to increase the percentage of assets of associations of which loans entered into by the association may not exceed; and to provide for related matters.

Read by title.

#### **Motion**

On motion of Rep. Pinac, the bill was returned to the calendar.

#### **Motion**

On motion of Rep. Pinac, the Committee on Commerce was discharged from further consideration of Senate Bill No. 495.

### **SENATE BILL NO. 495—** BY SENATORS HOLLIS AND HEITMEIER

#### **AN ACT**

To repeal R.S. 6:124.1(B), relative to financial condition statements; to delete certain requirements from financial condition statements regarding community reinvestment ratings; and to provide for related matters.

Read by title.

#### **Motion**

On motion of Rep. Pinac, the bill was returned to the calendar.

### **House Bills and Joint Resolutions on Second Reading Reported by Committee**

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

### **HOUSE BILL NO. 131—** BY REPRESENTATIVE BALDONE

#### **AN ACT**

To amend and reenact R.S. 56:10(B)(1)(b) and 578.12(B), relative to shrimp fishing; to limit use of funds in the Shrimp Marketing and Promotion Account; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

#### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 131 by Representative Baldone

#### AMENDMENT NO. 1

On page 2, line 10, after "for" delete "fresh"

#### AMENDMENT NO. 2

On page 2, at the beginning of line 12, delete "fresh"

#### AMENDMENT NO. 3

On page 2, line 23, after "markets for" delete "fresh"

#### AMENDMENT NO. 4

On page 3, line 1, after "for" delete "fresh"

On motion of Rep. Pierre, the amendments were adopted.

On motion of Rep. Pierre, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 250—**

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 56:639.8(E), relative to the Artificial Reef Development Fund; to include evaluation of the program in the authorized uses of the fund; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

On motion of Rep. Pierre, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 396—**

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 56:325.3(A)(1) and (C), relative to commercial taking of spotted sea trout; to provide for the open season, quotas, and allowable gear; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Natural Resources.

The substitute was read by title as follows:

**HOUSE BILL NO. 2003 (Substitute for House Bill No. 396 by Representative Baldone)—**

BY REPRESENTATIVES BALDONE, ODINET, JACK SMITH, AND SENATOR DUPRE

AN ACT

To amend and reenact R.S. 56:325.2(A)(1) and (C) and 333(B)(1), relative to commercial fishing; to provide for open season, quotas and allowable gear for the taking of mullet and spotted sea trout; and to provide for related matters.

Read by title.

On motion of Rep. Pierre, the substitute was adopted and became House Bill No. 2003 by Rep. Baldone, on behalf of the Committee on Natural Resources, as a substitute for House Bill No. 396 by Rep. Baldone.

Under the rules, lies over in the same order of business.

**HOUSE BILL NO. 440—**

BY REPRESENTATIVE MORRISH

AN ACT

To enact R.S. 22:1405(I)(3), relative to the Property Insurance Association of Louisiana; to provide for records; to provide for public protection classifications; to provide for certain local officials; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Insurance to Original House Bill No. 440 by Representative Morrish

AMENDMENT NO. 1

On page 1, line 15, after "inspection" and before "by" insert "during normal business hours and upon reasonable notice given"

On motion of Rep. Hebert, the amendments were adopted.

On motion of Rep. Hebert, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 556—**

BY REPRESENTATIVE ODINET

AN ACT

To amend and reenact R.S. 56:499(C), relative to fishing nets; to prohibit the use of certain devices with skimmer nets; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

On motion of Rep. Pierre, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 561—**

BY REPRESENTATIVES JACK SMITH AND PIERRE

AN ACT

To amend and reenact R.S. 56:302.3(B)(5) and 500(A), relative to recreational gear licenses; to provide for the use of a larger trawl on a recreational gear license; to provide relative to the gear fee required for a larger trawl; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

On motion of Rep. Pierre, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 563—**

BY REPRESENTATIVES JACK SMITH AND PIERRE

AN ACT

To amend and reenact R.S. 56:302.10, relative to recreational fishing; to provide relative to penalties for the sale of recreational catches; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

On motion of Rep. Pierre, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 887—**

BY REPRESENTATIVE ERDEY

AN ACT

To amend and reenact R.S. 22:1150, relative to producers of record; to provide relative to authorization and recognition of such producers by insurers; to provide with respect to change or removal of such

## Page 8 HOUSE

17th Day's Proceedings - May 1, 2003

producers; to provide relative to payment of commissions; to make such provisions applicable to accident and health insurers and all bond business; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 887 by Representative Erdey

#### AMENDMENT NO. 1

On page 1, line 12, after "A." insert "(1)"

#### AMENDMENT NO. 2

On page 1, at the end of line 12, delete "quotation," and at the beginning of line 13, delete "proposal, policy," and insert "policy"

#### AMENDMENT NO. 3

On page 2, line 1, insert the following:

"(2) This Subsection establishes an agency relationship only for the matter of collection of premiums specifically referred to herein."

#### AMENDMENT NO. 4

On page 2, line 4, after "casualty," delete "life."

#### AMENDMENT NO. 5

On page 2, line 5, after "casualty," delete "life."

#### AMENDMENT NO. 6

On page 2, line 7, after "the" delete "first named insured" and insert "owner of the policy or the first named insured if there are multiple named insureds"

#### AMENDMENT NO. 7

On page 2, at the end of line 18, delete "first named" and at the beginning of line 19, delete "insured" and insert "owner of the policy or the first named insured if there are multiple named insureds"

#### AMENDMENT NO. 8

On page 2, at the end of line 19, delete "the first named" and at the beginning of line 20, delete "insured" and insert "such owner or insured"

#### AMENDMENT NO. 9

On page 3, line 24, after "health" delete "and life"

#### AMENDMENT NO. 10

On page 4, line 9, after "the" delete "first named insured," and insert "owner of the policy or the first named insured if there are multiple named insureds."

#### AMENDMENT NO. 11

On page 4, line 10, after "permit" delete "the first named insured" and insert "such owner or insured"

#### AMENDMENT NO. 12

On page 4, line 13, after "by" delete "the first named insured," and insert "such owner or insured."

#### AMENDMENT NO. 13

On page 4, delete lines 16 and 17 in their entirety and insert "policy."

#### AMENDMENT NO. 14

On page 4, at the beginning of line 20, delete "qualified" and insert "not qualified by the insurer"

#### AMENDMENT NO. 15

On page 4, line 21, after "qualified" insert "by the insurer"

#### AMENDMENT NO. 16

On page 5, after line 2, insert the following:

"Section 2. This Act shall become effective on January 1, 2004."

On motion of Rep. Hebert, the amendments were adopted.

On motion of Rep. Hebert, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 921—**

BY REPRESENTATIVE CAZAYOUX

AN ACT

To amend and reenact R.S. 22:1150(B)(1) and to enact R.S. 22:1150(C), relative to agents of record; to provide for health insurance; to provide for HMOs; to provide for the change or removal of an agent of record; to provide for notice; to provide for premium commissions; to provide for rules; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Insurance.

On motion of Rep. Hebert, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 924—**

BY REPRESENTATIVES HUNTER AND BRUCE

AN ACT

To amend and reenact R.S. 15:541(14.1) and to enact R.S. 14:283(E), relative to sex offender registration; to require a person convicted of video voyeurism to register as a sex offender; to add the crime of video voyeurism to the definition of a sex offense for the purposes of sex offender registration; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.



On motion of Rep. Martiny, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1133—**

BY REPRESENTATIVE ODINET

AN ACT

To amend and reenact R.S. 56:433(F), relative to oysters; to provide for a minimum size applicable throughout the year; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

On motion of Rep. Pierre, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1136—**

BY REPRESENTATIVE ODINET

AN ACT

To amend and reenact R.S. 56:421(B)(introductory paragraph) and (D) and to enact R.S. 56:421(B)(12), relative to the Louisiana Oyster Task Force; to provide for an additional member; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 1136 by Representative Odinet

**AMENDMENT NO. 1**

On page 1, delete lines 14 and 15 in their entirety and insert in lieu thereof the following:

"(12) One member who is an oyster grower appointed by the chairman of the Louisiana Farm Bureau Federation Oyster Farmers Advisory Committee."

On motion of Rep. Pierre, the amendments were adopted.

On motion of Rep. Pierre, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1149—**

BY REPRESENTATIVE BOWLER

AN ACT

To enact R.S. 22:250.20, relative to health insurance; to provide relative to the compliance of health insurance issuers with state law relative to the Gramm-Leach-Bliley Act; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Insurance to Original House Bill No. 1149 by Representative Bowler

**AMENDMENT NO. 1**

On page 1, line 3, after "insurance" delete the remainder of line and insert "issuers with state law relative to the"

**AMENDMENT NO. 2**

On page 1, at the end of line 9, delete "this Part" and insert the following:

"the privacy requirements of the federal Health Insurance Portability and Accountability Act of 1996 (42 USC 1320d)"

**AMENDMENT NO. 3**

On page 1, line 10, after "with" delete "Title V of the" and insert the following:

"state law intended to implement requirements of Title V of the federal"

On motion of Rep. Hebert, the amendments were adopted.

On motion of Rep. Hebert, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1155—**

BY REPRESENTATIVE ODINET

AN ACT

To amend and reenact R.S. 56:432 and to enact R.S. 56:427(E), relative to oyster leases; to provide for limits on the number of acres which can be leased by one person and the maximum number of acres for which application may be made; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

On motion of Rep. Pierre, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1156—**

BY REPRESENTATIVE ODINET

AN ACT

To amend and reenact R.S. 56:430.1(A), relative to oyster production; to remove the requirement for the leaseholder to submit certain information to the Department of Wildlife and Fisheries; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

On motion of Rep. Pierre, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

## Page 10 HOUSE

17th Day's Proceedings - May 1, 2003

### HOUSE BILL NO. 1167—

BY REPRESENTATIVE ODINET

#### AN ACT

To amend and reenact R.S. 56:424(G), relative to the harvest of oysters; to require a vessel monitoring system to be used by any person who obtains from the Department of Wildlife and Fisheries a permit to land oysters outside the state; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 1167 by Representative Odinet

##### AMENDMENT NO. 1

On page 2, line 1, after "state" insert "under a permit issued"

##### AMENDMENT NO. 2

On page 2, at the end of line 9, add the following:

"The department shall promulgate rules and regulations necessary to implement the provisions of this Paragraph."

On motion of Rep. Pierre, the amendments were adopted.

On motion of Rep. Pierre, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### HOUSE BILL NO. 1433—

BY REPRESENTATIVE L. JACKSON

#### AN ACT

To amend and reenact R.S. 37:913(3)(a)(vii) and (viii) and (b), (7), (8), (9), and (13) and 930(B)(2), (D), and (E), to enact R.S. 37:918(18) and 930(F), and to repeal Part VI of Chapter 11 of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:1031 through 1034, relative to registered nurses; to provide relative to prescriptive authority and medical diagnosis; to provide for promulgation of rules and regulations by the board; to abolish the prescriptive authority committee; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 1433 by Representative L. Jackson

##### AMENDMENT NO. 1

On page 1, line 2, after "913(3)(a)" delete the remainder of the line and insert "(vii) and (viii) and (b), (7), (8), (9), and"

##### AMENDMENT NO. 2

On page 1, line 4, after "repeal" delete "R.S. 37:913(8) and (9) and"

##### AMENDMENT NO. 3

On page 1, line 11, after "913(3)(a)" delete the remainder of the line and insert "(vii) and (viii) and (b), (7), (8), (9), and (13)"

##### AMENDMENT NO. 4

On page 2, delete lines 10 and 11, and insert "and performing certain acts of medical diagnosis in accordance with the collaborative practice agreement."

##### AMENDMENT NO. 5

On page 2, delete lines 15 through 17 and insert:

"\* \* \*

##### AMENDMENT NO. 6

On page 3, at the top of the page insert: "within the scope of practice and in accordance with R.S. 37:1031 through 1034 as defined by the board."

##### AMENDMENT NO. 7

On page 3, between lines 17 and 18, insert the following:

"(8) "Collaborative practice" means the joint management of the health care of a patient by an advanced practice registered nurse performing advanced practice registered nursing and one or more consulting physicians or dentists. ~~Except as otherwise provided in R.S. 37:930, acts of medical diagnosis and prescription by an advanced practice registered nurse shall be under the direction of a licensed physician or dentist and in accordance with a collaborative practice agreement.~~

(9) "Collaborative practice agreement" means a formal written statement addressing the parameters of the collaborative practice which are mutually agreed upon by the advanced practice registered nurse and one or more licensed physicians or dentists ~~which shall include but not be limited to the following provisions:~~

~~(a) Availability of the collaborating physician or dentist for consultation or referral, or both.~~

~~(b) Methods of management of the collaborative practice which shall include clinical practice guidelines.~~

~~(c) Coverage of the health care needs of a patient during any absence of the advanced practice registered nurse, physician, or dentist."~~

##### AMENDMENT NO. 8

On page 4, at the end of line 4, delete "for", delete line 5, and on line 6, delete "but not limited to rules governing" and insert "governing scope of practice for advanced practice registered nurses including but not limited to prescriptive authority."

##### AMENDMENT NO. 9

On page 4, line 23, after "or" insert "as prescribed by an"

##### AMENDMENT NO. 10

On page 5, line 14, after "Section 2." delete "R.S. 37:913(8) and (9) and" and on line 16, change "are" to "is" and change "their" to "its"

On motion of Rep. Durand, the amendments were adopted.

On motion of Rep. Durand, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 1446—**

BY REPRESENTATIVES HEBERT AND FAUCHEUX  
AN ACT

To enact R.S. 22:176.1, relative to group life insurance; to provide for exclusion; to provide for restrictions; to provide for exceptions; to provide for liability; to provide for contestability; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Insurance.

On motion of Rep. Hebert, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 1484—**

BY REPRESENTATIVE HEBERT  
AN ACT

To amend and reenact R.S. 22:71.1(C)(1), relative to domestic stock insurers; to provide for certificate of authority; to provide for requirements; to provide for issuance; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

#### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Insurance to Original House Bill No. 1484 by Representatives Hebert

##### AMENDMENT NO. 1

On page 1, line 2, delete "and to enact R.S. 22:71.1(E)"

##### AMENDMENT NO. 2

On page 1, lines 7 and 8, delete "and R.S. 22:71.1(E) is hereby enacted"

##### AMENDMENT NO. 3

On page 2, delete lines 1 through 3.

On motion of Rep. Hebert, the amendments were adopted.

On motion of Rep. Hebert, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 1534—**

BY REPRESENTATIVES WINSTON AND WELCH  
AN ACT

To amend and reenact R.S. 36:4(F) and R.S. 46:2521, 2522, and 2524, to enact R.S. 46:2525 and R.S. 49:210.1, and to repeal R.S. 46:2523, relative to the Louisiana Women's Policy and Research Commission; to provide for the creation of the commission; to provide for a special assistant to the governor on women's policy; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

#### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 1534 by Representative Winston

##### AMENDMENT NO. 1

On page 1, line 3, change "2254" to "2524" and on page 1, line 3, after "R.S.46:2525" insert "and R.S. 49:210.1,"

##### AMENDMENT NO. 2

On page 1, line 5, after "commission;" insert "to provide for a special assistant to the governor on women's policy;"

##### AMENDMENT NO. 3

On page 2, line 3, before "There" delete "A."

##### AMENDMENT NO. 4

On page 2, delete lines 13 through 21 in their entirety.

##### AMENDMENT NO. 5

On page 4, line 5, before "women's" delete "of" and insert "on"

##### AMENDMENT NO. 6

On page 4, line 8, after "office" and before "women's" delete "of" and insert "on"

##### AMENDMENT NO. 7

On page 4, between lines 12 and 13 insert "(11) To issue and monitor domestic violence services contracts."

##### AMENDMENT NO. 8

On page 5, line 15, delete change "senate" to "Senate"

##### AMENDMENT NO. 9

On page 5, line 16, delete "at his pleasure." and insert "terms concurrent with the appointing governor."

##### AMENDMENT NO. 10

On page 7, between lines 13 and 14, insert "Section 3. R.S. 49:210.1 is hereby enacted to read as follows:

"§210.1. Special assistant to the governor on women's policy

## Page 12 HOUSE

17th Day's Proceedings - May 1, 2003

There shall be a special assistant to the governor on women's policy. The special assistant shall be appointed by the governor, subject to Senate confirmation, to serve at his pleasure. The special assistant shall have extensive knowledge regarding the status of women in Louisiana and national comparisons. The special assistant shall perform the duties assigned by the governor and shall coordinate the powers, duties, functions, responsibilities, and focus of state agencies pertaining to the employment, education, health, safety, financial status, and welfare of women."

### AMENDMENT NO. 11

On page 7, line 14, change "Section 3." to "Section 4."

On motion of Rep. Durand the amendments were adopted.

On motion of Rep. Durand, the bill, as amended, was engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 1605—**

BY REPRESENTATIVES ILES, DOERGE, HILL, PITRE, JOHN SMITH, AND SENATOR ADLEY

#### **AN ACT**

To enact R.S. 40:1300.143(3)(a)(viii), (ix), and (x), relative to the Rural Hospital Preservation Act; to add certain hospitals to the definition of a rural hospital; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

On motion of Rep. Durand, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 1732—**

BY REPRESENTATIVE DEVILLIER AND SENATOR DARDENNE

#### **AN ACT**

To enact R.S. 15:147(A)(1)(d), (e), (f), and (g), relative to right to counsel in criminal cases; to provide with respect to the defense of indigents; to provide for the collection of a one-time forty dollar fee from criminal defendants seeking representation by the indigent defender board; to provide for collection and distribution of fees; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 1732 by Representative Devillier

### AMENDMENT NO. 1

On page 2, line 5, after "to the" and before the comma "," change "clerk of court" to "indigent defender board or its designee"

### AMENDMENT NO. 2

On page 2, line 6, after "the" and before "or" change "clerk" to "board"

### AMENDMENT NO. 3

On page 2, delete lines 12 and 13 in their entirety and insert in lieu thereof "(e)(i) The proceeds shall be deposited to"

### AMENDMENT NO. 4

On page 2, delete lines 15 through 18 in their entirety and insert in lieu thereof "which the application was made."

On motion of Rep. Martiny, the amendments were adopted.

On motion of Rep. Martiny, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

## **Senate Instruments on Second Reading Returned from the Legislative Bureau**

The following Senate Instruments on second reading, returned from the Legislative Bureau, were taken up and acted upon as follows:

### **SENATE BILL NO. 15—**

BY SENATOR DUPRE

#### **AN ACT**

To amend and reenact R.S. 40:1156, relative to sewage and sewerage; to require the secretary of the Department of Health and Hospitals to develop guidelines for maintenance of individual sewerage systems and for the training of homeowners who choose to maintain their own sewerage systems; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Environment.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Damico, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

## **House and House Concurrent Resolutions on Third Reading for Final Consideration**

The following House and House Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

### **HOUSE CONCURRENT RESOLUTION NO. 24—**

BY REPRESENTATIVE PIERRE

#### **A CONCURRENT RESOLUTION**

To approve the Coastal Wetlands Conservation and Restoration Plan for Fiscal Year 2003-2004, as adopted by the Wetlands Conservation and Restoration Authority.

Read by title.

Rep. Pierre moved the adoption of the resolution.

### **ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Peychaud
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	Wright
Frith	Odinet	
Total—104		

NAYS

Total—0

ABSENT

Hudson  
Total—1

The resolution was adopted.

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 9—**

BY REPRESENTATIVE SCHNEIDER

**A CONCURRENT RESOLUTION**

To urge and request the National Collegiate Athletic Association (NCAA), National Football League (NFL), National Basketball Association (NBA), Major League Baseball (MLB), National Hockey League (NHL), National Association of Sports Officials (NASO), and other professional sports associations to develop rules for retraining, censuring, or dismissing incompetent referees, umpires, judges, linemen, and other sports officials under their jurisdiction for incorrect or missed calls during an athletic contest and to publicly acknowledge these errors in a timely manner in order to restore and maintain public confidence in the games.

Read by title.

On motion of Rep. Schneider, the resolution was adopted.

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 30—**

BY REPRESENTATIVE SALTER

**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to study the practicality and feasibility of installing lighting systems at heavily traveled intersections along rural state highways and to report its findings to the House and Senate Transportation, Highways and Public Works Committees prior to the convening of the 2004 Regular Session.

Read by title.

On motion of Rep. Salter, the resolution was adopted.

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 60—**

BY REPRESENTATIVE THOMPSON

**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to promulgate rules and regulations as provided for in R.S. 48:295.1 et seq.

Read by title.

On motion of Rep. Salter, the resolution was adopted.

Ordered to the Senate.

### House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

**Regular Calendar****Suspension of the Rules**

On motion of Rep. Frith, the rules were suspended to limit the author or proponent handling the legislative instrument to ten minutes for opening remarks and all subsequent speakers on the instrument to five minutes.

**Acting Speaker LeBlanc in the Chair****HOUSE BILL NO. 436—**

BY REPRESENTATIVES GREEN, LANCASTER, SCALISE, SNEED, AND WALSWORTH

**A JOINT RESOLUTION**

Proposing to amend Article XIII, Section 1(C) of the Constitution of Louisiana, to provide for the number of electors approving a constitutional amendment required for adoption of the constitutional amendment; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Rep. Walsworth sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representatives Walsworth and Scalise to Reengrossed House Bill No. 436 by Representative Green

**AMENDMENT NO. 1**

## Page 14 HOUSE

17th Day's Proceedings - May 1, 2003

On page 1, line 3, after "Louisiana" delete the comma "," and insert "and to add Article XIII, Section 1(D) to the Constitution of Louisiana,"

### AMENDMENT NO. 2

On page 1, line 11, after "Louisiana" delete the comma "," and insert "and to add Article XIII, Section 1(D) to the Constitution of Louisiana,"

### AMENDMENT NO. 3

On page 2, between lines 15 and 16, insert the following:

"(D) Notwithstanding any other provision of this Constitution to the contrary, a tax or bond proposition shall require a majority of electors voting on the proposition to approve it, and such majority shall consist of more than twenty-five percent of the electors qualified to vote on such tax or proposition."

### AMENDMENT NO. 4

On page 3, line 2, after "Louisiana." delete the remainder of the line and insert:

"To provide that any tax or bond proposition shall require the approval of a majority of the electors voting on the proposition and that majority must consist of more than twenty-five percent of the electors qualified to vote on such tax or proposition. (Amends Article XIII, Section 1(C) and adds Article XIII, Section 1(D))"

### **Point of Order**

Rep. Swilling asked for a ruling from the Chair as to whether the above amendments were germane to the subject matter contained in the bill as introduced.

### **Ruling of the Chair**

The Chair ruled that the above amendments were not germane to the subject matter contained in the bill as introduced.

On motion of Rep. Walsworth, the amendments were withdrawn.

Rep. Michael Jackson sent up floor amendments which were read as follows:

### **HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representatives Michael Jackson to Reengrossed House Bill No. 436 by Representatives Green, et al

### AMENDMENT NO. 1

On page 1, line 3, change "electors" to "voters"

### AMENDMENT NO. 2

On page 2, line 1, change "qualified electors" to "registered voters"

### AMENDMENT NO. 3

On page 2, line 7, change "electors" to "~~electors~~ registered voters"

### AMENDMENT NO. 4

On page 2, line 8, change "qualified electors" to "registered voters"

### AMENDMENT NO. 5

On page 2, line 9, change "electors" to "~~electors~~ registered voters"

### AMENDMENT NO. 6

On page 2, line 13, change "electors" to "~~electors~~ registered voters"

### AMENDMENT NO. 7

On page 2, line 15, change "electors" to "~~electors~~ registered voters"

### AMENDMENT NO. 8

On page 2, line 24, change "electors" to "registered voters"

### AMENDMENT NO. 9

On page 2, line 26, change "electors" to "registered voters"

### AMENDMENT NO. 10

On page 3, line 1, change "qualified electors" to "registered voters"

Rep. Michael Jackson moved the adoption of the amendments.

Rep. Green objected.

By a vote of 37 yeas and 65 nays, the amendments were rejected.

Rep. Shaw sent up floor amendments which were read as follows:

### **HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Shaw to Reengrossed House Bill No. 436 by Representative Green

### AMENDMENT NO. 1

On page 2, line 1, after "than" and before "percent" change "twenty-five" to "fifty-one"

### AMENDMENT NO. 2

On page 2, line 8, after "than" and before "percent" change "twenty-five" to "fifty-one"

### AMENDMENT NO. 3

On page 2, line 14, after "than" and before "percent" change "twenty-five" to "fifty-one"

### AMENDMENT NO. 4

On page 3, line 1, after "than" and before "percent" change twenty-five to "fifty-one"

Rep. Shaw moved the adoption of the amendments.

Rep. Green objected.

By a vote of 16 yeas and 77 nays, the amendments were rejected.

### **Speaker DeWitt in the Chair**

Rep. Green moved the final passage of the bill.

### **ROLL CALL**

The roll was called with the following result:

### **YEAS**

Arnold  
Baudoin

Fruge  
Futrell

Pierre  
Powell

Beard	Glover	Quezaire
Bowler	Green	Scalise
Bruneau	Guillory	Schneider
Capella	Hebert	Shaw
Crane	Johns	Smith, G.—56th
Crowe	Katz	Sneed
Damico	Kennard	Triche
Durand	Lancaster	Walker
Erdey	Martiny	Walsworth
Faucheux	McVea	Winston
Flavin	Perkins	
Total—38		

## NAYS

Mr. Speaker	Hammett	Nevers
Alario	Heaton	Odinot
Alexander	Hill	Peychaud
Baldone	Hunter	Pinac
Baylor	Hutter	Pitre
Broome	Iles	Richmond
Bruce	Jackson, L	Romero
Carter, K	Jackson, M	Salter
Carter, R	Kenney	Schwegmann
Cazayoux	LaFleur	Stelly
Curtis	Landrieu	Strain
Daniel	LeBlanc	Thompson
Devillier	Lucas	Toomy
Diez	McDonald	Tucker
Downs	Morrell	Welch
Frith	Morrish	Wooton
Gallot	Murray	
Total—50		

## ABSENT

Ansardi	Honey	Smith, J.R.—30th
Dartez	Hopkins	Swilling
Doerge	Hudson	Townsend
Downer	Montgomery	Waddell
Fannin	Smith, J.D.—50th	Wright
Farrar	Smith, J.H.—8th	
Total—17		

The chair declared the above bill, not having received a two-thirds vote of the elected members, failed to pass.

Rep. Wooton moved to reconsider the vote by which the above bill failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 451—**

BY REPRESENTATIVE ERDEY

## AN ACT

To enact R.S. 32:863(D), relative to motor vehicle liability security; to provide relative to the sanctions for failure to maintain motor vehicle liability security; to provide relative to reinstatement requirements of motor vehicle registrations; to prohibit the renewal of a driver's license, issuance of a duplicate license, renewal of a motor vehicle registration, or reissuance of a motor vehicle registration under certain circumstances; and to provide for related matters.

Read by title.

Rep. Erdey moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

## YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Peychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hudson	Scalise
Bruce	Hunter	Schneider
Bruneau	Hutter	Schwegmann
Capella	Iles	Shaw
Carter, K	Jackson, L	Smith, G.—56th
Carter, R	Jackson, M	Smith, J.D.—50th
Cazayoux	Johns	Smith, J.H.—8th
Crane	Katz	Smith, J.R.—30th
Crowe	Kennard	Sneed
Curtis	Kenney	Stelly
Damico	LaFleur	Strain
Daniel	Lancaster	Swilling
Dartez	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Downer	Martiny	Triche
Durand	McDonald	Tucker
Erdey	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Frige	Odinot	
Total—101		

## NAYS

Total—0

## ABSENT

Doerge	Hopkins
Downs	Waddell
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Erdey moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 493—**

BY REPRESENTATIVE DIEZ

## AN ACT

To enact R.S. 32:414.2(A)(7), relative to commercial motor vehicle drivers; to authorize the department to report certain drivers to the Federal Motor Carrier Safety Administration; to provide relative to the definition of imminent hazard; to require certain disqualifications to become part of an individual's official operating record; to provide relative to disqualification periods; and to provide for related matters.

Read by title.

Rep. Diez moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

## Page 16 HOUSE

17th Day's Proceedings - May 1, 2003

### YEAS

Mr. Speaker	Futrell	Perkins
Alario	Glover	Peychaud
Alexander	Green	Pierre
Ansardi	Guillory	Pinac
Arnold	Hammett	Pitre
Baldone	Heaton	Powell
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Damico	Kennard	Stelly
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devillier	Lancaster	Thompson
Diez	Landrieu	Toomy
Doerge	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Fruge	Odinot	
Total—101		

### NAYS

Total—0

### ABSENT

Baudoin	Gallot
Curtis	Quezaire
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 518—

BY REPRESENTATIVES JOHNS, CAZAYOUX, DAMICO, DOWNER, FLAVIN, FRITH, FRUGE, FUTRELL, KATZ, MORRISH, NEVERS, PITRE, POWELL, SCALISE, STELLY, STRAIN, THOMPSON, WALSWORTH, WINSTON, AND WOOTON AND SENATORS CHAISSON, GAUTREAU, MICHOT, AND THEUNISSEN

### AN ACT

To enact R.S. 9:2799.6, relative to a limitation of liability for damages related to the consumption of certain products; to limit the liability of manufacturers, distributors, and sellers of food and non-alcoholic beverages; to define terms; to provide for applicability; and to provide for related matters.

Read by title.

Rep. Johns moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

### YEAS

Mr. Speaker	Flavin	Nevers
Alario	Frith	Odinot
Alexander	Fruge	Perkins
Ansardi	Futrell	Peychaud
Arnold	Gallot	Pinac
Baldone	Glover	Pitre
Baudoin	Green	Powell
Baylor	Hammett	Quezaire
Beard	Heaton	Romero
Bowler	Hebert	Salter
Broome	Hill	Scalise
Bruce	Honey	Schneider
Bruneau	Hopkins	Schwegmann
Capella	Hudson	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Sneed
Crowe	Johns	Stelly
Curtis	Katz	Strain
Damico	Kennard	Swilling
Daniel	Kenney	Thompson
Dartez	LaFleur	Toomy
Devillier	Lancaster	Townsend
Diez	Landrieu	Triche
Doerge	LeBlanc	Tucker
Downer	Lucas	Waddell
Downs	Martiny	Walker
Durand	McDonald	Walsworth
Erdey	McVea	Welch
Fannin	Montgomery	Winston
Farrar	Morrell	Wooton
Faucheux	Morrish	Wright
Total—99		

### NAYS

Guillory	Murray	Richmond
Hunter	Pierre	
Total—5		

### ABSENT

Smith, J.R.—30th  
Total—1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Johns moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 582—

BY REPRESENTATIVE DIEZ

### AN ACT

To enact R.S. 32:414.2(A)(2)(g) and (h) and (4)(e) and (f), relative to commercial motor vehicle drivers; to provide relative to disqualification of commercial motor vehicle drivers; to require the department to disqualify, for a lifetime, commercial driving privileges for certain offenses; to require the department to disqualify, for a minimum of one year, commercial driving privileges for certain offenses; and to provide for related matters.

Read by title.

Rep. Diez moved the final passage of the bill.



**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Fruge	Odinet
Alario	Futrell	Perkins
Alexander	Gallot	Peychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kennard	Strain
Daniel	Kenney	Swilling
Dartez	LaFleur	Thompson
Devillier	Lancaster	Toomy
Diez	Landrieu	Townsend
Doerge	LeBlanc	Triche
Downer	Lucas	Tucker
Downs	Martiny	Waddell
Durand	McDonald	Walker
Erdey	McVea	Walsworth
Fannin	Montgomery	Welch
Farrar	Morrell	Winston
Faucheux	Morrish	Wooton
Flavin	Murray	Wright
Frith	Nevers	
Total—104		

**NAYS**

Total—0

**ABSENT**

Smith, J.R.—30th  
Total—1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 770—**  
BY REPRESENTATIVE DIEZ**AN ACT**

To enact R.S. 32:414.2(E), relative to commercial motor vehicle drivers; to provide relative to the notice requirements of the Federal Motor Carrier Safety Administration; to require the department to notify other licensing jurisdictions of certain convictions; to require other licensing jurisdictions to notify the department of certain convictions; to provide relative to an

individual's official operating record; and to provide for related matters.

Read by title.

Rep. Diez moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Peychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Honey	Romero
Bowler	Hopkins	Salter
Broome	Hudson	Scalise
Bruce	Hunter	Schneider
Bruneau	Hutter	Schwegmann
Capella	Iles	Shaw
Carter, K	Jackson, L	Smith, G.—56th
Carter, R	Jackson, M	Smith, J.D.—50th
Cazayoux	Johns	Smith, J.H.—8th
Crane	Katz	Sneed
Crowe	Kennard	Stelly
Curtis	Kenney	Strain
Damico	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Fruge	Odinet	
Total—101		

**NAYS**

Total—0

**ABSENT**

Daniel	Hill
Farrar	Smith, J.R.—30th
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

# Page 18 HOUSE

17th Day's Proceedings - May 1, 2003

## HOUSE BILL NO. 850—

BY REPRESENTATIVES MONTGOMERY, BRUCE, AND GLOVER  
AN ACT

To amend and reenact R.S. 34:3160(D), relative to the Caddo-Bossier Parishes Port Commission; to provide relative to the rights and powers of such commission; to increase the maximum term of certain contracts, leases, and other agreements which may be entered into by such commission; and to provide for related matters.

Read by title.

Rep. Bruce moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Psychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kennard	Strain
Daniel	Kenney	Swilling
Dartez	LaFleur	Thompson
Devillier	Lancaster	Toomy
Diez	Landrieu	Townsend
Doerge	LeBlanc	Triche
Downer	Lucas	Tucker
Downs	Martiny	Waddell
Durand	McDonald	Walker
Erdey	McVea	Walsworth
Fannin	Montgomery	Welch
Farrar	Morrell	Winston
Faucheux	Morrish	Wooton
Flavin	Murray	Wright
Frith	Nevers	
Fruge	Odinet	
Total—103		

#### NAYS

Total—0

#### ABSENT

Carter, K	Smith, J.R.—30th
Total—2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Bruce moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

## HOUSE BILL NO. 876—

BY REPRESENTATIVES JOHNS, PERKINS, BOWLER, BROOME, TRICHE, AND WINSTON  
AN ACT

To amend and reenact R.S. 40:34(B)(1)(a)(iv), relative to vital records forms; to provide for contents of the birth certificate; to provide for the surname of an illegitimate child in certain circumstances; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Johns moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Fruge	Psychaud
Alario	Futrell	Pinac
Alexander	Gallot	Pitre
Baldone	Guillory	Powell
Baylor	Hammett	Romero
Beard	Heaton	Salter
Bowler	Hill	Scalise
Broome	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, R	Hutter	Shaw
Cazayoux	Iles	Smith, G.—56th
Crane	Johns	Smith, J.D.—50th
Crowe	Katz	Smith, J.H.—8th
Damico	Kennard	Sneed
Daniel	Kenney	Stelly
Dartez	LaFleur	Strain
Devillier	Lancaster	Thompson
Diez	Landrieu	Toomy
Doerge	LeBlanc	Townsend
Downs	Martiny	Triche
Durand	McDonald	Waddell
Erdey	Montgomery	Walker
Fannin	Morrish	Welch
Faucheux	Nevers	Winston
Flavin	Odinet	
Frith	Perkins	
Total—76		

#### NAYS

Arnold	Hebert	Richmond
Bruneau	Honey	Swilling
Curtis	Murray	Tucker
Glover	Pierre	Walsworth
Green	Quezaire	Wooton
Total—15		

#### ABSENT

Ansardi	Farrar	McVea
Baudoin	Hopkins	Morrell
Bruce	Jackson, L	Smith, J.R.—30th
Carter, K	Jackson, M	Wright
Downer	Lucas	
Total—14		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Johns moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 972—**  
BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:402(B)(1)(a), relative to drivers' licenses; to authorize the operator of a motor vehicle to drive without a driver's license under certain circumstances; and to provide for related matters.

Read by title.

Rep. Diez moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Psychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hutter	Schwegmann
Carter, K	Iles	Shaw
Carter, R	Jackson, L	Smith, G.—56th
Cazayoux	Jackson, M	Smith, J.D.—50th
Crane	Johns	Smith, J.H.—8th
Crowe	Katz	Smith, J.R.—30th
Curtis	Kennard	Sneed
Damico	Kenney	Stelly
Daniel	LaFleur	Strain
Dartez	Lancaster	Swilling
Devillier	Landrieu	Thompson
Diez	LeBlanc	Toomy
Doerge	Lucas	Townsend
Downer	Martiny	Triche
Downs	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walker
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	Wright
Frith	Odinet	
Total—101		

NAYS

Total—0

ABSENT

Bruce	Hunter
Früge	Walsworth
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 1177—**  
BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 47:2183, relative to tax sales of immovable property; to provide for notice to the prior owner; to provide for applicability to parishes or municipalities; and to provide for related matters.

Read by title.

Rep. Gallot sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Gallot to Engrossed House Bill No. 1177 by Representative Martiny

AMENDMENT NO. 1

On page 1, line 4, after "municipalities;" and before "and" insert "to provide for an effective date"

AMENDMENT NO. 2

On page 3, after line 25, insert:

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval. However, the provisions of this Act shall not apply to the sale of any property which occurs prior to August 1, 2003."

On motion of Rep. Gallot, the amendments were adopted.

Rep. Martiny moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Murray
Alario	Futrell	Nevers
Alexander	Gallot	Odinet
Ansardi	Glover	Perkins
Arnold	Green	Psychaud
Baldone	Guillory	Pierre
Baudoin	Hammett	Pinac
Baylor	Heaton	Pitre
Beard	Hebert	Powell
Bowler	Hill	Quezaire
Broome	Honey	Richmond
Bruce	Hopkins	Romero
Bruneau	Hudson	Salter
Capella	Hunter	Scalise
Carter, K	Hutter	Schneider
Carter, R	Iles	Schwegmann
Cazayoux	Jackson, L	Smith, G.—56th
Crane	Jackson, M	Smith, J.D.—50th

## Page 20 HOUSE

17th Day's Proceedings - May 1, 2003

Crowe	Johns	Smith, J.H.—8th
Curtis	Katz	Smith, J.R.—30th
Damico	Kennard	Sneed
Daniel	Kenney	Stelly
Dartez	LaFleur	Strain
Devillier	Lancaster	Swilling
Diez	Landrieu	Thompson
Doerge	LeBlanc	Toomy
Downer	Lucas	Townsend
Downs	Martiny	Triche
Durand	McDonald	Tucker
Erdey	McVea	Walker
Fannin	Montgomery	Welch
Faucheux	Morrell	Winston
Flavin	Morrish	Wooton
Total—99		

NAYS

Shaw	Walsworth
Total—2	

ABSENT

Farrar	Waddell
Früge	Wright
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Martiny moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 1217—

BY REPRESENTATIVES TRICHE, ANSARDI, ARNOLD, BALDONE, BAUDOIN, BOWLER, BROOME, BRUCE, CROWE, CURTIS, DAMICO, DARTEZ, DIEZ, DOERGE, DOWNER, DURAND, FANNIN, FLAVIN, FRITH, FUTRELL, GALLOT, GLOVER, GUILLORY, HEBERT, HILL, HONEY, HUDSON, ILES, KENNARD, KENNEY, LUCAS, MCDONALD, MCVEA, MONTGOMERY, MORRELL, NEVERS, PIERRE, POWELL, QUEZAIRE, RICHMOND, JACK SMITH, JANE SMITH, STRAIN, THOMPSON, WADDELL, WALSWORTH, WELCH, WINSTON, AND WOOTON AND SENATOR DUPRE

AN ACT

To amend and reenact R.S. 30:136.3, 209(2) and (4)(b), and 212(D)(2) and (3), relative to the office of mineral resources funding authority; to rename the Mineral Resources Audit and Collection Fund; to provide for revenues to be credited to the fund; to provide for appropriation from the fund; and to provide for related matters.

Read by title.

Rep. Triche moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Murray
Alario	Früge	Nevers
Alexander	Futrell	Odinot
Ansardi	Gallot	Peychaud
Arnold	Glover	Pierre
Baldone	Green	Pinac
Baudoin	Guillory	Pitre
Baylor	Hammett	Powell
Beard	Heaton	Quezaire
Bowler	Hebert	Richmond
Broome	Honey	Romero

Bruce	Hopkins	Salter
Bruneau	Hudson	Scalise
Capella	Hunter	Schneider
Carter, K	Hutter	Schwegmann
Carter, R	Iles	Shaw
Cazayoux	Jackson, L	Smith, G.—56th
Crane	Jackson, M	Smith, J.D.—50th
Crowe	Johns	Smith, J.H.—8th
Curtis	Katz	Smith, J.R.—30th
Damico	Kennard	Sneed
Daniel	Kenney	Stelly
Dartez	LaFleur	Strain
Devillier	Lancaster	Swilling
Diez	Landrieu	Thompson
Doerge	LeBlanc	Toomy
Downer	Lucas	Townsend
Downs	Martiny	Triche
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Welch
Faucheux	Morrell	Winston
Flavin	Morrish	Wooton
Total—99		

NAYS

Total—0

ABSENT

Farrar	Perkins	Walsworth
Hill	Tucker	Wright
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Triche moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 1299—

BY REPRESENTATIVES DANIEL, JOHN SMITH, AND WELCH  
AN ACT

To amend and reenact R.S. 30:2484(A)(5), relative to the Oil Spill Contingency Fund; to provide for grants from the fund for research, testing, and development of discharge and blowout prevention and training using full scale well service training; and to provide for related matters.

Read by title.

Rep. Daniel sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Engrossed House Bill No. 1299 by Representative Daniel, et al

#### AMENDMENT NO. 1

On page 1, line 2, after "30:2484(A)(5)" and before the comma insert "and 2486(A), (B), (C)(1), and (D), and 2487(A)"

#### AMENDMENT NO. 2

On page 1, line 5, after "service training" and the semicolon and before "and" insert "to provide with respect to the fund balance as it relates to the collection of fees; "

AMENDMENT NO. 3

On page 1, line 8, after "30:2484(A)(5)" and before "hereby" delete "is" and insert "and 2486(A), (B), (C)(1), and (D), and 2487(A) are"

AMENDMENT NO. 4

On page 2, between lines 3 and 4 insert the following:

"§2486. Determination of fee

A. Except as otherwise provided in this Section, the rate of the fee shall be two cents per barrel of crude oil until the state treasurer certifies that the balance in the fund has reached ~~ten~~ seven million dollars. The state treasurer shall certify to the secretary of the Department of Revenue the date on which the balance in the fund equals ~~ten~~ seven million dollars. The fee shall not be collected or required to be paid on or after the first day of the second month following the treasurer's certification to the secretary.

B. If the balance in the fund falls below ~~eight~~ five million dollars, the treasurer shall certify such fact to the secretary of the Department of Revenue. On receiving the state treasurer's certification, the secretary of the Department of Revenue shall resume collecting the fee until suspended in the manner provided in Subsection A of this Section.

C. Notwithstanding the provisions of Subsection A or B of this Section, the fee shall be levied at the rate of four cents per barrel if the state treasurer certifies to the secretary of the Department of Revenue a written finding of the following facts:

- (1) The balance in the fund is less than ~~eight~~ five million dollars.

\* \* \*

D. In the event of a certification to the secretary under Subsection C of this Section, the secretary shall collect the fee at the rate of four cents per barrel until the balance in the fund reaches ~~ten~~ seven million dollars. The state treasurer shall certify to the secretary the date on which the balance in the fund equals ~~ten~~ seven million dollars. The fee shall not be collected or required to be paid on or after the first day of the second month following the state treasurer's certification to the secretary.

\* \* \*

§2487. Administration of fee

A. The state treasurer shall notify the coordinator when the balance of the fund reaches ~~ten~~ seven million dollars or falls below ~~eight~~ five million dollars as specified in R.S. 30:2486, whereupon the coordinator shall publish the finding in the Louisiana Register. In the event of any suspension or other reinstatement of the fee, and upon notice thereof, the coordinator shall publish the suspension or reinstatement in the Louisiana Register at least thirty days prior to the scheduled effective date of the suspension or reinstatement.

\* \* \*"

On motion of Rep. Daniel, the amendments were adopted.

Rep. Daniel moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Fruge	Odinot
Alario	Futrell	Perkins
Alexander	Gallot	Peychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Curtis	Katz	Sneed
Damico	Kennard	Stelly
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devillier	Lancaster	Thompson
Diez	Landrieu	Toomy
Doerge	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Welch
Farrar	Morrell	Winston
Faucheux	Morrish	Wooton
Flavin	Murray	
Frith	Nevers	
Total—103		

**NAYS**

Total—0

**ABSENT**

Walsworth	Wright
Total—2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Daniel moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 1487—**  
BY REPRESENTATIVE PINAC**AN ACT**

To amend and reenact R.S. 40:1622, relative to fire protection and prevention; to provide for criminal and civil liability for violations; to provide for a rebuttable presumption; and to provide for related matters.

Read by title.

Rep. Pinac moved the final passage of the bill.

**ROLL CALL**

## Page 22 HOUSE

17th Day's Proceedings - May 1, 2003

The roll was called with the following result:

### YEAS

Mr. Speaker	Frith	Odinet
Alario	Futrell	Perkins
Alexander	Gallot	Peychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hutter	Schwegmann
Carter, K	Iles	Shaw
Carter, R	Jackson, L	Smith, G.—56th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Walker
Durand	McVea	Welch
Erdey	Montgomery	Winston
Fannin	Morrell	Wooton
Farrar	Morrish	Wright
Faucheux	Murray	
Flavin	Nevers	
Total—100		

### NAYS

Total—0

### ABSENT

Fruge	Smith, J.D.—50th	Walsworth
Hunter	Waddell	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Pinac moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 1825 (Substitute for House Bill No. 25 by Representative Crowe)— BY REPRESENTATIVES CROWE AND CAZAYOUX AN ACT

To enact R.S. 14:39.3, relative to the crime of unintentional injury of a police officer; to create the crime of unintentional injury of a police officer; to provide for definitions; to provide for penalties; and to provide for related matters.

Read by title.

Rep. Cazayoux moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

### YEAS

Mr. Speaker	Farrar	Odinet
Alario	Faucheux	Perkins
Alexander	Flavin	Pinac
Ansardi	Frith	Pitre
Arnold	Fruge	Powell
Baldone	Futrell	Quezaire
Baudoin	Glover	Romero
Beard	Guillory	Salter
Bowler	Heaton	Scalise
Broome	Hill	Schneider
Bruce	Hopkins	Schwegmann
Bruneau	Hudson	Shaw
Capella	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	Landrieu	Townsend
Diez	LeBlanc	Triche
Doerge	Lucas	Tucker
Downer	Martiny	Walker
Downs	McDonald	Walsworth
Durand	McVea	Wooton
Erdey	Morrell	Wright
Fannin	Nevers	
Total—86		

### NAYS

Baylor	Jackson, M	Richmond
Green	Morrish	Swilling
Hebert	Murray	Welch
Hunter	Pierre	Winston
Total—12		

### ABSENT

Carter, K	Honey	Waddell
Gallot	Montgomery	
Hammett	Peychaud	
Total—7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Cazayoux moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 1826 (Substitute for House Bill No. 1081 by Representative Durand) — BY REPRESENTATIVE DURAND AN ACT

To enact R.S. 37:934, relative to registered nurses; to provide for utilization review under the Louisiana Medical Assistance Program; and to provide for related matters.

Read by title.

Rep. Durand moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

## YEAS

Mr. Speaker	Fruge	Odinot
Alario	Futrell	Perkins
Alexander	Gallot	Peychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Damico	Katz	Stelly
Daniel	Kennard	Strain
Dartez	Kenney	Thompson
Devillier	LaFleur	Toomy
Diez	Lancaster	Townsend
Doerge	Landrieu	Triche
Downer	LeBlanc	Tucker
Downs	Martiny	Waddell
Durand	McDonald	Walker
Erdey	McVea	Walsworth
Fannin	Montgomery	Welch
Farrar	Morrell	Winston
Faucheux	Morrish	Wooton
Flavin	Murray	
Frith	Nevers	
Total—100		

## NAYS

Total—0

## ABSENT

Curtis	Schneider	Wright
Lucas	Swilling	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Durand moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 1827 (Substitute for House Bill No. 1262 by Representative Thompson)—**  
BY REPRESENTATIVE THOMPSON

## AN ACT

To enact R.S. 3:304, relative to the master farmer program; to provide for certification; to provide for the promulgation of rules and regulations; to provide for requirements for certification and maintaining certification; to provide for verification; and to provide for related matters.

Read by title.

Rep. Thompson moved the final passage of the bill.

## ROLL CALL

The roll was called with the following result:

## YEAS

Mr. Speaker	Futrell	Peychaud
Alario	Gallot	Pierre
Alexander	Glover	Pinac
Ansardi	Green	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Beard	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Sneed
Crowe	Johns	Stelly
Damico	Katz	Strain
Daniel	Kennard	Swilling
Dartez	Kenney	Thompson
Devillier	LaFleur	Toomy
Diez	Lancaster	Townsend
Doerge	Landrieu	Triche
Downer	LeBlanc	Tucker
Downs	Martiny	Waddell
Durand	McDonald	Walker
Erdey	McVea	Walsworth
Fannin	Montgomery	Welch
Farrar	Morrell	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	Wright
Frith	Odinot	
Fruge	Perkins	
Total—100		

## NAYS

Total—0

## ABSENT

Bowler	Lucas	Smith, J.R.—30th
Curtis	Morrish	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Thompson moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 31—**  
BY REPRESENTATIVE STRAIN

## AN ACT

To reduce the speed limit in the school zone on Louisiana Highway 41 at Creekside Junior High School; and to provide for related matters.

Read by title.

## Page 24 HOUSE

17th Day's Proceedings - May 1, 2003

Rep. Strain moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Fruge	Odinet
Alario	Futrell	Perkins
Alexander	Gallot	Peychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, R	Hutter	Shaw
Cazayoux	Iles	Smith, G.—56th
Crane	Jackson, L	Smith, J.D.—50th
Crowe	Jackson, M	Smith, J.H.—8th
Damico	Johns	Sneed
Daniel	Katz	Strain
Dartez	Kennard	Swilling
Devillier	Kenney	Thompson
Diez	LaFleur	Toomy
Doerge	Lancaster	Townsend
Downer	Landrieu	Triche
Downs	LeBlanc	Tucker
Durand	Martiny	Waddell
Erdey	McDonald	Walker
Fannin	McVea	Walsworth
Farrar	Montgomery	Welch
Faucheux	Morrell	Winston
Flavin	Murray	Wooton
Frith	Nevers	
Total—98		

#### NAYS

Total—0

#### ABSENT

Carter, K	Morrish	Wright
Curtis	Smith, J.R.—30th	
Lucas	Stelly	
Total—7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Strain moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 84—

BY REPRESENTATIVES ROMERO, CURTIS, ILES, KATZ, KENNARD, POWELL, AND QUEZAIRE

#### AN ACT

To amend and reenact R.S. 32:666(A) and 667(B)(4), relative to tests for suspected drunken drivers; to require all drivers involved in certain traffic accidents to submit to tests in order to determine the presence of alcohol or controlled dangerous substances; and to provide for related matters.

Read by title.

Rep. Romero moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Fruge	Peychaud
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Glover	Pitre
Arnold	Green	Powell
Baldone	Guillory	Quezaire
Baudoin	Hammett	Richmond
Baylor	Heaton	Romero
Beard	Hebert	Salter
Bowler	Hill	Scalise
Broome	Honey	Schneider
Bruce	Hopkins	Schwegmann
Bruneau	Hudson	Shaw
Capella	Hunter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Jackson, M	Sneed
Crane	Johns	Stelly
Crowe	Katz	Strain
Damico	Kennard	Swilling
Daniel	Kenney	Thompson
Dartez	LaFleur	Toomy
Devillier	Lancaster	Townsend
Diez	Landrieu	Triche
Doerge	LeBlanc	Tucker
Downer	Martiny	Waddell
Downs	McDonald	Walker
Durand	McVea	Walsworth
Erdey	Montgomery	Welch
Fannin	Morrell	Winston
Farrar	Morrish	Wooton
Faucheux	Murray	Wright
Flavin	Nevers	
Frith	Odinet	
Total—100		

#### NAYS

Total—0

#### ABSENT

Curtis	Lucas	Smith, J.R.—30th
Hutter	Perkins	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Romero moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 109—

BY REPRESENTATIVE DIEZ

#### AN ACT

To amend and reenact R.S. 6:969.18(A), relative to the Louisiana Motor Vehicle Sales Finance Act; to increase the convenience fee authorized to be collected by a motor vehicle seller or extender of



credit for certain transactions; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Diez moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Gallot	Peychaud
Alario	Glover	Pierre
Alexander	Green	Pinac
Ansardi	Guillory	Pitre
Arnold	Hammett	Powell
Baldone	Heaton	Quezaire
Baudoin	Hebert	Richmond
Baylor	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Curtis	Katz	Sneed
Damico	Kennard	Stelly
Daniel	Kenney	Strain
Darte	LaFleur	Swilling
Devillier	Lancaster	Thompson
Diez	Landrieu	Toomy
Downer	LeBlanc	Townsend
Downs	Lucas	Triche
Durand	Martiny	Tucker
Erdey	McDonald	Waddell
Fannin	McVea	Walker
Farrar	Montgomery	Walsworth
Faucheux	Morrell	Welch
Flavin	Morrish	Winston
Frith	Murray	Wooton
Frige	Nevers	Wright
Futrell	Odinet	
Total—101		

#### NAYS

Crowe  
Total—1

#### ABSENT

Beard	Doerge	Perkins
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 163—

BY REPRESENTATIVE PINAC

#### AN ACT

To repeal R.S. 6:708(D), relative to directors of savings and loan associations; to repeal the qualifying share requirement for directors.

Read by title.

Rep. Pinac moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Gallot	Pierre
Alario	Glover	Pinac
Alexander	Green	Pitre
Ansardi	Guillory	Powell
Arnold	Hammett	Quezaire
Baldone	Heaton	Richmond
Baudoin	Hebert	Romero
Beard	Hill	Salter
Bowler	Honey	Scalise
Broome	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Jackson, M	Smith, J.R.—30th
Crane	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kennard	Strain
Daniel	Kenney	Swilling
Darte	LaFleur	Thompson
Devillier	Lancaster	Toomy
Diez	Landrieu	Townsend
Doerge	LeBlanc	Triche
Downer	Lucas	Tucker
Durand	Martiny	Waddell
Erdey	McDonald	Walker
Fannin	McVea	Walsworth
Farrar	Montgomery	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Frige	Odinet	
Futrell	Peychaud	
Total—100		

#### NAYS

Total—0

#### ABSENT

Baylor	Downs	Perkins
Crowe	Morrell	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Pinac moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

## Page 26 HOUSE

17th Day's Proceedings - May 1, 2003

### HOUSE BILL NO. 176—

BY REPRESENTATIVE BRUNEAU

#### AN ACT

To amend and reenact R.S. 37:1473(4) and (5), 1474(D), 1475(8), 1476(A), 1478, 1481(A)(2), and 1485(B), to enact R.S. 37:1483(12), 1485(C), and 1488(C), and to repeal R.S. 37:1485(A)(10) and (11), all relative to home inspectors; to change term of appointment of board members; to change certain licensure requirements; to provide for prohibited conduct; to provide for injunctive relief; and to provide for related matters.

Read by title.

Rep. Bruneau sent up floor amendments which were read as follows:

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Flavin to Engrossed House Bill No. 176 by Representative Bruneau

#### AMENDMENT NO. 1

On page 5, line 8 after "inspection" delete the remainder of the line and insert "in any written materials provided to the purchaser of a home warranty service agreement."

On motion of Rep. Bruneau, the amendments were adopted.

Rep. Bruneau moved the final passage of the bill, as amended.

#### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Futrell	Pierre
Alario	Gallot	Pinac
Alexander	Glover	Pitre
Ansardi	Green	Powell
Arnold	Guillory	Quezaire
Baldone	Hammett	Richmond
Baudoin	Heaton	Romero
Baylor	Hebert	Salter
Beard	Hill	Scalise
Bowler	Honey	Schneider
Broome	Hopkins	Schwegmann
Bruce	Hudson	Shaw
Bruneau	Hunter	Smith, G.—56th
Capella	Hutter	Smith, J.D.—50th
Carter, R	Iles	Smith, J.H.—8th
Cazayoux	Jackson, M	Smith, J.R.—30th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Damico	Kennard	Strain
Daniel	Kenney	Swilling
Dartez	LaFleur	Thompson
Devillier	Lancaster	Toomy
Diez	Landrieu	Townsend
Doerge	LeBlanc	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	Wright
Frith	Odinet	

Fruge  
Total—100

Perkins

NAYS

Total—0

ABSENT

Carter, K  
Curtis  
Total—5

Jackson, L  
Lucas

Peychaud

The Chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

Rep. Bruneau moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 187—

BY REPRESENTATIVE PINAC

#### AN ACT

To repeal R.S. 6:124.1(B), relative to financial condition statements; to delete certain requirements from financial condition statements regarding community reinvestment ratings.

Read by title.

#### Motion

Rep. Pinac moved that House Bill No. 187 be designated as a duplicate of Senate Bill No. 495.

Which motion was agreed to.

#### Motion

On motion of Rep. Pinac, the above bill was returned to the calendar.

### HOUSE BILL NO. 189—

BY REPRESENTATIVE PINAC

#### AN ACT

To repeal R.S. 6:829, relative to savings and loan association investments; to repeal the restriction on investments in nonliquid assets.

Read by title.

#### Motion

Rep. Pinac moved that House Bill No. 189 be designated as a duplicate of Senate Bill No. 466.

Which motion was agreed to.

#### Motion

On motion of Rep. Pinac, the above bill was returned to the calendar.

### HOUSE BILL NO. 191—

BY REPRESENTATIVE PINAC

#### AN ACT

To amend and reenact R.S. 6:646(A)(2)(b) and (B)(2), 656(A)(1)(e), and 661.1(A)(3) and to repeal R.S. 6:646(A)(3), relative to credit unions; to provide factors of consideration for commissioner approval of mergers, consolidations, and expansions of field of

membership; to change financial reporting requirements for certain credit unions; to increase certain loan amount approval by the board of directors; to change the net worth ratio criterion for branch office openings; to repeal the moratorium on mergers and conversions; and to provide for related matters.

Read by title.

### Motion

Rep. Pinac moved that House Bill No. 191 be designated as a duplicate of Senate Bill No. 491.

Which motion was agreed to.

Rep. Pinac moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Futrell	Peychaud
Alario	Gallot	Pierre
Alexander	Glover	Pinac
Ansardi	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Damico	Katz	Sneed
Daniel	Kennard	Stelly
Dartez	Kenney	Strain
Devillier	LaFleur	Swilling
Diez	Lancaster	Thompson
Doerge	Landrieu	Toomy
Downer	Martiny	Townsend
Downs	McDonald	Triche
Durand	McVea	Tucker
Erdey	Montgomery	Waddell
Fannin	Morrell	Walker
Farrar	Morrish	Walsworth
Faucheux	Murray	Welch
Flavin	Nevers	Winston
Frith	Odinot	Wooton
Fruge	Perkins	Wright
Total—99		

#### NAYS

Total—0

#### ABSENT

Arnold	Curtis	LeBlanc
Carter, K	Hammett	Lucas
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Pinac moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 192—

BY REPRESENTATIVE PINAC

#### AN ACT

To enact R.S. 6:665(C), relative to expansions of the field of membership of credit unions; to provide for expansions through bylaw amendments; to provide criteria for expansions; and to provide for related matters.

Read by title.

### Motion

Rep. Pinac moved that House Bill No. 192 be designated as a duplicate of Senate Bill No. 492.

Which motion was agreed to.

Rep. Pinac moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Fruge	Peychaud
Alario	Futrell	Pinac
Alexander	Gallot	Pitre
Ansardi	Glover	Powell
Arnold	Green	Quezaire
Baldone	Guillory	Richmond
Baudoin	Hammett	Romero
Baylor	Heaton	Salter
Beard	Hebert	Scalise
Bowler	Hill	Schneider
Broome	Honey	Schwegmann
Bruce	Hopkins	Shaw
Bruneau	Hudson	Smith, G.—56th
Capella	Hunter	Smith, J.D.—50th
Carter, R	Hutter	Smith, J.H.—8th
Cazayoux	Iles	Smith, J.R.—30th
Crane	Jackson, L	Sneed
Crowe	Jackson, M	Stelly
Damico	Johns	Strain
Daniel	Katz	Swilling
Dartez	Kennard	Thompson
Devillier	Kenney	Toomy
Diez	LaFleur	Townsend
Doerge	Lancaster	Triche
Downer	Landrieu	Tucker
Downs	Martiny	Waddell
Durand	McDonald	Walker
Erdey	McVea	Walsworth
Fannin	Montgomery	Welch
Farrar	Murray	Winston
Faucheux	Nevers	Wooton
Flavin	Odinot	Wright
Frith	Perkins	
Total—98		

#### NAYS

Total—0

#### ABSENT

Carter, K	Lucas	Pierre
-----------	-------	--------

## Page 28 HOUSE

17th Day's Proceedings - May 1, 2003

Curtis  
LeBlanc  
Total—7

Morrell  
Morrish

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Pinac moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 194—

BY REPRESENTATIVE PINAC

#### AN ACT

To amend and reenact R.S. 6:822(2)(r), relative to loans and investments by associations; to increase the percentage of assets of associations of which loans entered into by the association may not exceed; and to provide for related matters.

Read by title.

### Motion

Rep. Pinac moved that House Bill No. 194 be designated as a duplicate of Senate Bill No. 493.

Which motion was agreed to.

### Motion

On motion of Rep. Pinac, the above bill was returned to the calendar.

### HOUSE BILL NO. 253—

BY REPRESENTATIVE MARTINY

#### AN ACT

To amend and reenact R.S. 38:2212.1(A)(2), relative to the Public Bid Law; to provide relative to the exception in Public Bid Law for the purchase of certain motor vehicles and road maintenance or improvement equipment; and to provide for related matters.

Read by title.

Rep. Martiny moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Gallot	Psychaud
Alario	Glover	Pierre
Alexander	Green	Pinac
Ansardi	Guillory	Pitre
Arnold	Hammett	Powell
Baldone	Heaton	Quezaire
Baudoin	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th

Crowe  
Damico  
Daniel  
Dartez  
Devillier  
Diez  
Downer  
Downs  
Durand  
Erdey  
Fannin  
Farrar  
Fauchaux  
Flavin  
Frith  
Fruge  
Futrell  
Total—101

Katz  
Kennard  
Kenney  
LaFleur  
Lancaster  
Landrieu  
LeBlanc  
Martiny  
McDonald  
McVea  
Montgomery  
Morrell  
Morrish  
Murray  
Nevers  
Odinet  
Perkins

Sneed  
Stelly  
Strain  
Swilling  
Thompson  
Toomy  
Townsend  
Triche  
Tucker  
Waddell  
Walker  
Walsworth  
Welch  
Winston  
Wooton  
Wright

#### NAYS

Total—0

#### ABSENT

Baylor  
Curtis  
Total—4

Doerge  
Lucas

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Martiny moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 254—

BY REPRESENTATIVE MARTINY

#### AN ACT

To amend and reenact R.S. 38:2212.1(A)(1), relative to the Public Bid Law; to provide relative to the purchase of materials or supplies; to increase the purchase amount for which advertisement and letting by contract are necessary; to increase the purchase amount for which telephone or facsimile quotations are necessary; and to provide for related matters.

Read by title.

Rep. Martiny moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Psychaud
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw

Carter, K	Hutter	Smith, G.—56th
Cazayoux	Iles	Smith, J.D.—50th
Crane	Jackson, L	Smith, J.H.—8th
Crowe	Jackson, M	Smith, J.R.—30th
Damico	Johns	Sneed
Daniel	Katz	Stelly
Dartez	Kennard	Strain
Devillier	Kenney	Swilling
Diez	LaFleur	Thompson
Doerge	Lancaster	Toomy
Downer	Landrieu	Townsend
Downs	LeBlanc	Triche
Durand	Martiny	Tucker
Erdey	McVea	Waddell
Fannin	Montgomery	Walker
Farrar	Morrell	Walsworth
Faucheux	Murray	Welch
Flavin	Nevers	Winston
Frith	Odinet	Wright
Total—99		

NAYS

Total—0

ABSENT

Carter, R	Lucas	Morrish
Curtis	McDonald	Wooton
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Martiny moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 305—**  
BY REPRESENTATIVE CAZAYOUX  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to Ronald Tassin, to provide for reimbursement of his legal expenses.

Read by title.

Rep. Cazayoux moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Pierre
Alario	Gallot	Pinac
Alexander	Glover	Pitre
Arnold	Green	Powell
Baldone	Guillory	Quezaire
Baudoin	Hammett	Richmond
Baylor	Heaton	Romero
Beard	Hebert	Salter
Bowler	Hill	Scalise
Broome	Honey	Schneider
Bruce	Hopkins	Schwegmann
Bruneau	Hudson	Shaw
Carter, K	Hunter	Smith, G.—56th
Carter, R	Hutter	Smith, J.D.—50th
Cazayoux	Iles	Smith, J.H.—8th

Crane	Jackson, L	Smith, J.R.—30th
Crowe	Katz	Sneed
Damico	Kennard	Stelly
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devillier	Lancaster	Thompson
Diez	Landrieu	Toomy
Doerge	LeBlanc	Townsend
Downer	McDonald	Triche
Downs	McVea	Tucker
Durand	Montgomery	Waddell
Erdey	Morrell	Walker
Fannin	Morrish	Walsworth
Farrar	Murray	Welch
Faucheux	Nevers	Winston
Flavin	Odinet	Wooton
Frith	Perkins	Wright
Frige	Peychaud	
Total—98		

NAYS

Total—0

ABSENT

Ansardi	Jackson, M	Martiny
Capella	Johns	
Curtis	Lucas	
Total—7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Cazayoux moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 315—**  
BY REPRESENTATIVE POWELL  
AN ACT

To repeal R.S. 48:386.1, relative to maintenance of railroad rights-of-way at railroad grade crossings; to repeal provision requiring railroads to cut vegetation and remove structures on railroad rights-of-way at grade crossings not protected by an active warning device; and to provide for an effective date.

Read by title.

**Motion**

On motion of Rep. Powell, the bill was returned to the calendar.

**HOUSE BILL NO. 330—**  
BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 9:3515(D), relative to consumer lenders; to provide for exceptions; to provide relative to the sale of certain property by consumer lenders; and to provide for related matters.

Read by title.

Rep. Pinac moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

## Page 30 HOUSE

17th Day's Proceedings - May 1, 2003

### YEAS

Mr. Speaker	Frith	Odinet
Alario	Futrell	Perkins
Alexander	Gallot	Peychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Crowe	Johns	Sneed
Damico	Katz	Stelly
Daniel	Kennard	Strain
Dartez	Kenney	Swilling
Devillier	LaFleur	Thompson
Diez	Lancaster	Toomy
Doerge	Landrieu	Townsend
Downer	LeBlanc	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Welch
Farrar	Morrell	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	Wright
Total—99		

### NAYS

Total—0

### ABSENT

Curtis	Lucas	Smith, J.R.—30th
Frige	Morrish	Walsworth
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Pinac moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 342—

BY REPRESENTATIVE CROWE

### AN ACT

To enact R.S. 32:63.2, relative to speed limits; to increase the speed limit along Interstate Highway 10 between Interstate Highway 510 and the St. Tammany Parish-Orleans Parish line; and to provide for related matters.

Read by title.

### Motion

On motion of Rep. Crowe, the bill was returned to the calendar.

### HOUSE BILL NO. 429—

BY REPRESENTATIVE PITRE

### AN ACT

To enact R.S. 23:291(D), relative to disclosure of employment information; to provide employers with immunity from civil liability under certain circumstances; to provide the definition of "owners"; and to provide for related matters.

Read by title.

Rep. Pitre moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

### YEAS

Mr. Speaker	Frith	Pierre
Alario	Frige	Pinac
Alexander	Futrell	Pitre
Ansardi	Gallot	Powell
Arnold	Glover	Quezaire
Baldone	Green	Richmond
Baudoin	Guillory	Romero
Baylor	Hammett	Salter
Beard	Heaton	Scalise
Bowler	Hebert	Schneider
Broome	Hill	Schwegmann
Bruce	Hopkins	Shaw
Bruneau	Hutter	Smith, G.—56th
Capella	Iles	Smith, J.D.—50th
Carter, K	Jackson, L	Smith, J.H.—8th
Carter, R	Jackson, M	Smith, J.R.—30th
Cazayoux	Johns	Sneed
Crane	Katz	Stelly
Crowe	Kennard	Strain
Damico	Kenney	Thompson
Daniel	LaFleur	Toomy
Dartez	Lancaster	Townsend
Devillier	Landrieu	Triche
Diez	LeBlanc	Tucker
Doerge	Martiny	Waddell
Downer	McDonald	Walker
Downs	McVea	Walsworth
Durand	Montgomery	Welch
Erdey	Morrish	Winston
Fannin	Nevers	Wooton
Farrar	Odinet	Wright
Faucheux	Perkins	
Flavin	Peychaud	
Total—97		

### NAYS

Hudson	Morrell
Hunter	Murray
Total—4	

### ABSENT

Curtis	Lucas
Honey	Swilling
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Pitre moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

# **HOUSE BILL NO. 486—**

BY REPRESENTATIVES JOHNS, ALEXANDER, BOWLER, FLAVIN, FRUGE, HUDSON, KENNARD, MORRISH, SCALISE, JOHN SMITH, STELLY, WALSWORTH, AND WINSTON AND SENATOR THEUNISSEN

## **AN ACT**

To amend and reenact Code of Civil Procedure Article 1732(1), relative to jury trials; to provide for the limitations on the availability of jury trials in certain circumstances; and to provide for related matters.

Read by title.

## **Motion**

On motion of Rep. Johns, the bill was returned to the calendar.

# **HOUSE BILL NO. 593—**

BY REPRESENTATIVE LEBLANC

## **AN ACT**

To repeal R.S. 39:51(B), relative to budgetary procedure; to delete the requirement that the governor explain certain differences between the executive budget and certain bills for the ordinary and ancillary expenses of state government.

Read by title.

Rep. LeBlanc moved the final passage of the bill.

## **ROLL CALL**

The roll was called with the following result:

### **YEAS**

Mr. Speaker	Futrell	Pierre
Alario	Gallot	Pinac
Alexander	Glover	Pitre
Ansardi	Green	Powell
Arnold	Guillory	Quezaire
Baldone	Hammett	Richmond
Baudoin	Heaton	Romero
Baylor	Hebert	Salter
Beard	Hill	Scalise
Bowler	Honey	Schneider
Broome	Hopkins	Schwegmann
Bruce	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Jackson, M	Smith, J.R.—30th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Damico	Kennard	Strain
Daniel	Kenney	Swilling
Dartez	LaFleur	Thompson
Devillier	Lancaster	Toomy
Diez	Landrieu	Townsend
Doerge	LeBlanc	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrish	Welch
Farrar	Murray	Winston
Faucheux	Nevers	Wooton
Flavin	Odinet	Wright

Frith  
Total—98

Peychaud

NAYS

Total—0

ABSENT

Bruneau

Hudson

Perkins

Curtis

Lucas

Frige

Morrell

Total—7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. LeBlanc moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

# **HOUSE BILL NO. 682—**

BY REPRESENTATIVE BALDONE

## **AN ACT**

To amend and reenact R.S. 40:1299.39.1(D)(2) and 1299.47(D)(2), relative to a medical review panel proceeding under the Medical Malpractice Act; to provide that the panel may consider evidence discovered by interrogatories; and to provide for related matters.

Read by title.

Rep. Baldone moved the final passage of the bill.

## **ROLL CALL**

The roll was called with the following result:

### **YEAS**

Mr. Speaker	Futrell	Pinac
Alario	Gallot	Pitre
Alexander	Glover	Powell
Ansardi	Green	Quezaire
Arnold	Guillory	Richmond
Baldone	Hammett	Romero
Baudoin	Heaton	Salter
Baylor	Hebert	Scalise
Beard	Hill	Schneider
Bowler	Honey	Schwegmann
Broome	Hopkins	Shaw
Bruneau	Hunter	Smith, G.—56th
Capella	Hutter	Smith, J.D.—50th
Carter, K	Iles	Smith, J.H.—8th
Cazayoux	Jackson, L	Smith, J.R.—30th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Damico	Kennard	Strain
Daniel	Kenney	Swilling
Dartez	LaFleur	Thompson
Devillier	Lancaster	Toomy
Diez	Landrieu	Townsend
Doerge	LeBlanc	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrish	Welch
Farrar	Murray	Winston
Faucheux	Nevers	Wooton

## Page 32 HOUSE

17th Day's Proceedings - May 1, 2003

Flavin  
Frith  
Früge  
Total—97

Odinet  
Peychaud  
Pierre

Wright

NAYS

Total—0

ABSENT

Bruce  
Carter, R  
Curtis  
Total—8

Hudson  
Jackson, M  
Lucas

Morrell  
Perkins

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Baldone moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 762— BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 48:293(A), relative to the competitive selection of consultant firms by the Department of Transportation and Development; reduces the number of consultant firms on the short list; and to provide for related matters.

Read by title.

Rep. Diez moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker  
Alario  
Alexander  
Ansardi  
Arnold  
Baldone  
Baudoin  
Baylor  
Beard  
Bowler  
Broome  
Capella  
Carter, K  
Carter, R  
Cazayoux  
Crane  
Crowe  
Damico  
Daniel  
Dartez  
Devillier  
Diez  
Doerge  
Downer  
Downs  
Durand  
Erdey  
Fannin  
Faucheux

Gallot  
Glover  
Green  
Guillory  
Hammett  
Heaton  
Hebert  
Honey  
Hopkins  
Hunter  
Hutter  
Iles  
Jackson, L  
Jackson, M  
Johns  
Katz  
Kennard  
Kenney  
LaFleur  
Lancaster  
Landrieu  
LeBlanc  
Martiny  
McDonald  
McVea  
Montgomery  
Morrish  
Murray  
Nevers

Pierre  
Pinac  
Pitre  
Powell  
Quezaire  
Richmond  
Romero  
Salter  
Scalise  
Schwegmann  
Shaw  
Smith, G.—56th  
Smith, J.D.—50th  
Smith, J.H.—8th  
Smith, J.R.—30th  
Sneed  
Stelly  
Strain  
Swilling  
Thompson  
Toomy  
Townsend  
Tucker  
Waddell  
Walsworth  
Welch  
Winston  
Wooton

Flavin  
Frith  
Futrell  
Total—94

Odinet  
Perkins  
Peychaud

Wright

NAYS

Morrell  
Total—1

ABSENT

Bruce  
Bruneau  
Curtis  
Farrar  
Total—10

Früge  
Hill  
Hudson  
Lucas

Schneider  
Walker

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 772— BY REPRESENTATIVES LEBLANC, FRITH, MONTGOMERY, NEVERS, AND THOMPSON

AN ACT

To amend and reenact R.S. 43:111(A)(9) and R.S. 51:1319(A)(2) and (B)(5) and to enact R.S. 43:111(A)(10) and R.S. 51:1319(B)(6), relative to authorization for advertising within the Louisiana Retirement Development Commission; to provide relative to authorization for the commission to develop guidelines to award a "Livable Louisiana Retirement Ready Community" seal of approval; to provide relative to authorization for the commission to purchase, print, and distribute advertisements, informational publications, and other promotional materials to promote Louisiana as a retirement state; and to provide for related matters.

Read by title.

Rep. LeBlanc moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker  
Alario  
Alexander  
Ansardi  
Arnold  
Baldone  
Baudoin  
Baylor  
Beard  
Bowler  
Broome  
Bruce  
Bruneau  
Capella  
Carter, R  
Cazayoux  
Crane  
Crowe  
Damico  
Daniel

Gallot  
Glover  
Green  
Guillory  
Hammett  
Heaton  
Hebert  
Hill  
Honey  
Hopkins  
Hudson  
Hunter  
Hutter  
Iles  
Jackson, L  
Jackson, M  
Johns  
Katz  
Kennard  
Kenney

Peychaud  
Pierre  
Pinac  
Pitre  
Powell  
Quezaire  
Richmond  
Romero  
Salter  
Scalise  
Schneider  
Schwegmann  
Shaw  
Smith, G.—56th  
Smith, J.H.—8th  
Smith, J.R.—30th  
Sneed  
Stelly  
Strain  
Swilling



Dartez	LaFleur	Thompson
Devillier	Lancaster	Toomy
Diez	Landrieu	Townsend
Doerge	LeBlanc	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Fruge	Odinot	
Futrell	Perkins	
Total—100		

NAYS

Total—0

ABSENT

Carter, K	Fannin	Smith, J.D.—50th
Curtis	Lucas	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. LeBlanc moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 774—**

BY REPRESENTATIVE PERKINS

AN ACT

To enact R.S. 48:281, relative to state highways; to prohibit closure of a lane of a state highway for landscaping or maintenance projects during peak traffic hours; to provide for exceptions; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Perkins, the bill was returned to the calendar.

**HOUSE BILL NO. 776—**

BY REPRESENTATIVE QUEZAIRE

AN ACT

To amend and reenact R.S. 48:386.1, relative to the maintenance of railroads rights-of-way at railroad grade crossings; to provide that railroads shall not be responsible for the maintenance of certain trees and removal of certain structures; to provide relative to the maintenance of visibility at certain crossings; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Faucheux sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Faucheux to Engrossed House Bill No. 776 by Representative Quezaire

**AMENDMENT NO. 1**

On page 2, at the end of line 16, before the period "." insert "for museum purposes only"

On motion of Rep. Faucheux, the amendments were withdrawn.

Rep. Thompson sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Thompson to Engrossed House Bill No. 776 by Representative Quezaire

**AMENDMENT NO. 1**

On page 2, deletes lines 15 through 19 in their entirety.

**AMENDMENT NO. 2**

On page 2, at the beginning of line 20 change "(h)" to "(f)"

**AMENDMENT NO. 3**

On page 2, at the beginning of line 24, change "(i)" to "(g)"

**AMENDMENT NO. 4**

On page 3, at the end of line 2, delete the colon ":"

**AMENDMENT NO. 5**

On page 3, delete line 3 in its entirety

**AMENDMENT NO. 6**

On page 3, at the beginning of line 4 delete "(b) Trees," and insert in lieu thereof "trees"

On motion of Rep. Thompson, the amendments were adopted.

Rep. Faucheux sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Faucheux to Engrossed House Bill No. 776 by Representative Quezaire

**AMENDMENT NO. 1**

On page 2, at the end of line 16, before the period "." insert "for museum purposes only"

On motion of Rep. Faucheux, the amendments were withdrawn.

Rep. Quezaire sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Quezaire to Engrossed House Bill No. 776 by Representative Quezaire

**AMENDMENT NO. 1**

On page 2, between lines 23 and 24 insert the following:

"(g) Any stationary or parked rail car, locomotive, rail equipment, or machinery for museums purposes only."

## Page 34 HOUSE

17th Day's Proceedings - May 1, 2003

Rep. Quezaire moved the adoption of the amendments.

Rep. Thompson objected.

By a vote of 41 yeas and 52 nays, the amendments were rejected.

### Motion

On motion of Rep. Quezaire, the bill, as amended, was returned to the calendar.

#### HOUSE BILL NO. 799—

BY REPRESENTATIVES PEYCHAUD AND MURRAY  
AN ACT

To amend and reenact R.S. 37:1861(A)(1), 1864, 1869, 1871(1), 1874(A) and (B)(13)(a) and (c), 1877, 1879, and 1880 and to enact R.S. 37:1861(A)(3) and (4), 1871(3) and (4), and 1874(B)(13)(f), relative to secondhand and antique dealers; to require the reporting of the purchase of used building components; to define "used building component" and "lot of used building components"; and to provide for related matters.

Read by title.

### Motion

On motion of Rep. Peychaud, the bill was returned to the calendar.

#### HOUSE BILL NO. 870—

BY REPRESENTATIVE HUTTER  
AN ACT

To enact R.S. 48:281, relative to highway construction and maintenance projects; to require the Department of Transportation and Development to develop a policy of notifying sheriffs, parish presidents, fire chiefs, and state legislators prior to major highway construction and maintenance work being performed; and to provide for related matters.

Read by title.

Rep. Hutter sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hutter to Engrossed House Bill No. 870 by Representative Hutter

#### AMENDMENT NO. 1

On page 2, line 2, after "state legislators" and before "prior" insert "a minimum of ten days"

On motion of Rep. Hutter, the amendments were adopted.

Rep. Hutter moved the final passage of the bill, as amended.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Fruge	Odinot
Alario	Futrell	Perkins
Alexander	Gallot	Peychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell

Baylor  
Beard  
Bowler  
Broome  
Bruce  
Bruneau  
Capella  
Carter, K  
Carter, R  
Cazayoux  
Crane  
Crowe  
Curtis  
Damico  
Daniel  
Dartez  
Devillier  
Diez  
Doerge  
Downer  
Downs  
Durand  
Erdey  
Fannin  
Farrar  
Faucheux  
Flavin  
Frith

Total—105

Heaton  
Hebert  
Hill  
Honey  
Hopkins  
Hudson  
Hunter  
Hutter  
Iles  
Jackson, L  
Jackson, M  
Johns  
Katz  
Kennard  
Kenney  
LaFleur  
Lancaster  
Landrieu  
LeBlanc  
Lucas  
Martiny  
McDonald  
McVea  
Montgomery  
Morrell  
Morrish  
Murray  
Nevers

Quezaire  
Richmond  
Romero  
Salter  
Scalise  
Schneider  
Schwegmann  
Shaw  
Smith, G.—56th  
Smith, J.D.—50th  
Smith, J.H.—8th  
Smith, J.R.—30th  
Sneed  
Stelly  
Strain  
Swilling  
Thompson  
Toomy  
Townsend  
Triche  
Tucker  
Waddell  
Walker  
Walsworth  
Welch  
Winston  
Wooton  
Wright

NAYS

Total—0

ABSENT

Total—0

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hutter moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

#### HOUSE BILL NO. 933—

BY REPRESENTATIVE DIEZ  
AN ACT

To amend and reenact R.S. 48:221(C), relative to expropriation by the Department of Transportation and Development; to provide relative to excess property; to increase the time the department may hold certain property before declaring it excess; and to provide for related matters.

Read by title.

Rep. Diez moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Alexander	Erdey	Lucas
Baudoin	Flavin	Odinot
Bruce	Futrell	Pitre
Carter, R	Hammett	Powell
Curtis	Iles	Quezaire

Mr. Speaker	Futrell	Odinot
Alario	Gallot	Perkins
Alexander	Glover	Peychaud
Ansardi	Green	Pierre
Arnold	Guillory	Pinac

Mr. Speaker	Gallot	Murray
Alario	Glover	Nevers
Alexander	Green	Odinet
Ansardi	Guillory	Peuchaud

# Page 36 HOUSE

17th Day's Proceedings - May 1, 2003

Arnold	Hammett	Pierre
Baldone	Heaton	Pinac
Baudoin	Hill	Pitre
Baylor	Honey	Powell
Bruce	Hopkins	Quezaire
Carter, K	Hudson	Richmond
Carter, R	Hunter	Salter
Cazayoux	Iles	Schwegmann
Curtis	Jackson, L	Shaw
Damico	Jackson, M	Smith, J.D.—50th
Daniel	Johns	Smith, J.H.—8th
Dartez	Katz	Stelly
Devillier	Kennard	Strain
Diez	Kenney	Swilling
Doerge	LaFleur	Thompson
Downs	Lancaster	Toomy
Durand	Landrieu	Townsend
Erdey	Lucas	Tucker
Fannin	Martiny	Waddell
Farrar	McDonald	Walker
Flavin	McVea	Welch
Frith	Montgomery	Winston
Fruge	Morrell	Wooton
Futrell	Morrish	Wright
Total—84		

## NAYS

Beard	Faucheux	Schneider
Bowler	Hebert	Smith, G.—56th
Broome	Hutter	Sneed
Bruneau	LeBlanc	Triche
Capella	Perkins	Walsworth
Crane	Romero	
Crowe	Scalise	
Total—19		

## ABSENT

Downer	Smith, J.R.—30th
Total—2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Daniel moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

## Speaker DeWitt in the Chair

### HOUSE BILL NO. 941—

BY REPRESENTATIVE DIEZ

#### AN ACT

To amend and reenact R.S. 48:255.2, relative to public contracts of the Department of Transportation and Development; to provide relative to the performance of surety companies when a contractor defaults; to reduce the time allowed for a surety company to respond to notification of a contractor's default; and to provide for related matters.

Read by title.

Rep. Diez moved the final passage of the bill.

## ROLL CALL

The roll was called with the following result:

## YEAS

Mr. Speaker	Gallot	Peychaud
Alario	Glover	Pierre
Alexander	Green	Pinac
Ansardi	Guillory	Pitre
Arnold	Hammett	Powell
Baldone	Heaton	Quezaire
Baudoin	Hebert	Richmond
Baylor	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Damico	Kennard	Stelly
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devillier	Lancaster	Thompson
Doerge	Landrieu	Toomy
Downer	LeBlanc	Townsend
Downs	Martiny	Triche
Durand	McDonald	Tucker
Erdey	McVea	Waddell
Fannin	Montgomery	Walker
Farrar	Morrell	Walsworth
Faucheux	Morrish	Welch
Flavin	Murray	Winston
Frith	Nevers	Wooton
Fruge	Odinet	Wright
Futrell	Perkins	
Total—101		

## NAYS

Total—0

## ABSENT

Beard	Diez
Curtis	Lucas
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 943—

BY REPRESENTATIVE FLAVIN

#### AN ACT

To amend and reenact R.S. 9:3143(6), 3144(A)(2), and 3150 and to enact R.S. 9:3144(B)(19), relative to home warranties; to provide for definitions; to provide for certain warranties; to provide for exclusions; to provide relative to civil actions; and to provide for related matters.

Read by title.

Rep. Devillier sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Devillier to Engrossed House Bill No. 943 by Representative Flavin

**AMENDMENT NO. 1**

On page 1, line 2, after "3150" delete the remainder of the line and on line 3 at the beginning of the line, delete "9:3144(B)(19)"

**AMENDMENT NO. 2**

On page 1, line 4, delete "to provide for exclusions;"

**AMENDMENT NO. 3**

On page 1, line 8, after "reenacted" and before "to" delete "and R.S. 9:3144(B)(19) is hereby enacted"

**AMENDMENT NO. 4**

On page 2 deletes lines 12 through 16

Rep. Devillier moved the adoption of the amendments.

Rep. Flavin objected.

By a vote of 41 yeas and 56 nays, the amendments were rejected.

Rep. Flavin moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Fruge	Pierre
Alario	Futrell	Pinac
Alexander	Glover	Powell
Arnold	Green	Quezaire
Baylor	Hammett	Romero
Beard	Heaton	Salter
Bowler	Hebert	Scalise
Capella	Hill	Schneider
Carter, R	Honey	Schwegmann
Cazayoux	Hudson	Shaw
Crane	Hutter	Smith, G.—56th
Crowe	Johns	Smith, J.D.—50th
Damico	Katz	Smith, J.H.—8th
Daniel	Kennard	Sneed
Dartez	LaFleur	Strain
Diez	LeBlanc	Swilling
Downer	Martiny	Toomy
Downs	McDonald	Triche
Durand	McVea	Tucker
Erdey	Montgomery	Waddell
Fannin	Morrish	Walker
Faucheux	Nevers	Walsworth
Flavin	Odinot	Winston
Frith	Perkins	
Total—70		

**NAYS**

Baldone	Guillory	Psychaud
Baudoin	Hunter	Pitre
Broome	Iles	Richmond
Bruneau	Jackson, M	Thompson
Carter, K	Kenney	Townsend

Curtis  
Devillier  
Gallot  
Total—22

Landrieu  
Morrell  
Murray

Welch

**ABSENT**

Ansardi	Jackson, L	Wooton
Bruce	Lancaster	Wright
Doerge	Lucas	
Farrar	Smith, J.R.—30th	
Hopkins	Stelly	
Total—13		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Flavin moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 973—**

BY REPRESENTATIVE DIEZ

**AN ACT**

To enact Part XII of Chapter 2 of Code Title XII of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3568, and R.S. 9:3571.1(H)(3) and (I) through (L), relative to consumer credit; to provide for protection of victims of identity theft; to provide for police reports; to provide for information to be made available by creditors; to provide for security alerts; to provide for damages; and to provide for related matters.

Read by title.

Rep. Diez moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Psychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker

## Page 38 HOUSE

17th Day's Proceedings - May 1, 2003

Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Früge	Odinet	
Total—104		

NAYS

Total—0

ABSENT

Doerge  
Total—1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 975— BY REPRESENTATIVE SCHNEIDER AN ACT

To enact R.S. 37:77.1, relative to accountants; to provide for the continued operation and certification of certain single-owner CPA firms for a certain period of time following such owner's death; and to provide for related matters.

Read by title.

Rep. Salter, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Salter on behalf of the Legislative Bureau to Engrossed House Bill No. 975 by Representative Schneider

#### AMENDMENT NO. 1

On page 2, line 15, following "R.S." and before "74.1(16)" insert "37:"

On motion of Rep. Salter, the amendments were adopted.

Rep. Schneider moved the final passage of the bill, as amended.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Früge	Odinet
Alario	Futrell	Perkins
Alexander	Gallot	Peychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter

Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Curtis	Katz	Sneed
Damico	Kennard	Stelly
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devillier	Lancaster	Thompson
Diez	Landrieu	Toomy
Doerge	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Total—105		

NAYS

Total—0

ABSENT

Total—0

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Schneider moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 1004— BY REPRESENTATIVE DIEZ AN ACT

To amend and reenact R.S. 29:27(B)(introductory paragraph) and (1) and to repeal R.S. 17:157(C) and R.S. 47:820.5(A), relative to tolls on the Sunshine Bridge; to repeal the tolls on the Sunshine Bridge; to repeal certain exemptions from the tolls on the Sunshine Bridge; and to provide for related matters.

Read by title.

Rep. Diez moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Peychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero

Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Curtis	Kennard	Strain
Damico	Kenney	Swilling
Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	Landrieu	Townsend
Diez	LeBlanc	Triche
Downer	Lucas	Tucker
Downs	Martiny	Waddell
Durand	McDonald	Walker
Erdey	McVea	Walsworth
Fannin	Montgomery	Welch
Farrar	Morrell	Winston
Faucheux	Morrish	Wooton
Flavin	Murray	Wright
Frith	Nevers	
Früge	Odinet	
Total—103		

NAYS

Total—0

ABSENT

Doerge	Smith, J.R.—30th
Total—2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 1005—**

BY REPRESENTATIVE SCHWEGMANN  
AN ACT

To enact Subpart X of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.71, relative to state individual income tax checkoffs; to provide for a method for individuals to donate a portion of any refund due to the Louisiana Animal Welfare Commission; to provide for collection and disbursement of the donation by the Department of Revenue; and to provide for related matters.

Read by title.

Rep. Schwegmann moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Odinet
Alario	Gallot	Perkins
Alexander	Glover	Psychaud
Ansardi	Green	Pierre
Arnold	Guillory	Pinac

Baldone	Hammett	Pitre
Baudoin	Heaton	Powell
Baylor	Hebert	Quezaire
Beard	Hill	Richmond
Bowler	Honey	Romero
Bruce	Hopkins	Salter
Bruneau	Hudson	Scalise
Capella	Hunter	Schneider
Carter, K	Hutter	Schwegmann
Carter, R	Iles	Shaw
Cazayoux	Jackson, L	Smith, G.—56th
Crane	Jackson, M	Smith, J.D.—50th
Crowe	Johns	Smith, J.H.—8th
Curtis	Katz	Sneed
Damico	Kennard	Stelly
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devilleir	Lancaster	Thompson
Diez	Landrieu	Toomy
Downer	LeBlanc	Townsend
Downs	Lucas	Triche
Durand	Martiny	Waddell
Erdey	McDonald	Walker
Fannin	McVea	Welch
Farrar	Montgomery	Winston
Faucheux	Morrell	Wooton
Flavin	Morrish	Wright
Frith	Murray	
Früge	Nevers	
Total—100		

NAYS

Total—0

ABSENT

Broome	Smith, J.R.—30th	Walsworth
Doerge	Tucker	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Schwegmann moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 1040—**

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 48:251.5(B), relative to public contracts of the Department of Transportation and Development; to provide relative to the payment of obligations arising under public contracts; to increase the time the department has to make final payments; to provide relative to the final estimate by the department; to provide relative to recoverable costs by a contractor in certain circumstances; and to provide for related matters.

Read by title.

Rep. Diez moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Faucheux	Hammett
----------	---------

# Page 40 HOUSE

17th Day's Proceedings - May 1, 2003

Gallot Total—4	McDonald	
	NAYS	
Mr. Speaker	Futrell	Pinac
Alario	Glover	Pitre
Alexander	Green	Powell
Arnold	Guillory	Quezaire
Baldone	Heaton	Richmond
Baudoin	Hebert	Romero
Baylor	Hill	Salter
Beard	Honey	Scalise
Bowler	Hopkins	Schneider
Broome	Hunter	Schwegmann
Bruce	Hutter	Shaw
Bruneau	Iles	Smith, G.—56th
Capella	Jackson, L	Smith, J.D.—50th
Carter, K	Jackson, M	Smith, J.H.—8th
Carter, R	Johns	Smith, J.R.—30th
Cazayoux	Katz	Sneed
Crane	Kennard	Stelly
Curtis	Kenney	Strain
Damico	LaFleur	Swilling
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Triche
Downer	McVea	Tucker
Downs	Montgomery	Waddell
Durand	Morrell	Walker
Erdey	Morrish	Walsworth
Fannin	Murray	Welch
Farrar	Nevers	Winston
Flavin	Odinot	Wright
Frith	Peychaud	
Fruge	Pierre	
Total—94		
	ABSENT	
Ansardi	Hudson	Wooton
Crowe	Martiny	
Doerge	Perkins	
Total—7		

The Chair declared the above bill failed to pass.

Rep. Murray moved to reconsider the vote by which the above bill failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

## HOUSE BILL NO. 1068— BY REPRESENTATIVE LEBLANC AN ACT

To amend and reenact R.S. 39:87.2, relative to performance-based budgeting; to provide for a process by which an agency's performance data may be adjusted after the budget has been enacted; and to provide for related matters.

Read by title.

Rep. LeBlanc moved the final passage of the bill.

## ROLL CALL

The roll was called with the following result:

## YEAS

Mr. Speaker	Futrell	Peychaud
-------------	---------	----------

Alario	Gallot	Pierre
Alexander	Glover	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Curtis	Katz	Sneed
Damico	Kennard	Stelly
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devillier	Lancaster	Thompson
Diez	Landrieu	Toomy
Downer	LeBlanc	Townsend
Downs	Lucas	Triche
Durand	McDonald	Tucker
Erdey	McVea	Waddell
Fannin	Montgomery	Walker
Farrar	Morrell	Walsworth
Faucheux	Morrish	Welch
Flavin	Murray	Winston
Frith	Nevers	Wooton
Fruge	Odinot	Wright
Total—99		
	NAYS	
Total—0		
	ABSENT	
Ansardi	Doerge	Martiny
Crowe	Hudson	Perkins
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. LeBlanc moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

## HOUSE BILL NO. 1074— BY REPRESENTATIVE DIEZ AN ACT

To amend and reenact R.S. 48:346, relative to duties and functions of certain employees of the Department of Transportation and Development; to authorize the assistant secretary of the office of operations or the chief engineer to close any section of a highway under certain circumstances; and to provide for related matters.

Read by title.

Rep. Diez moved the final passage of the bill.

## ROLL CALL

The roll was called with the following result:



## YEAS

Mr. Speaker	Futrell	Peychaud
Alario	Gallot	Pierre
Alexander	Glover	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Schneider
Bruce	Hunter	Schwegmann
Bruneau	Hutter	Shaw
Capella	Iles	Smith, G.—56th
Carter, K	Jackson, L	Smith, J.D.—50th
Carter, R	Jackson, M	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Crane	Katz	Sneed
Curtis	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	Landrieu	Townsend
Diez	LeBlanc	Triche
Downer	Lucas	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Früge	Odinet	
Total—95		

## NAYS

Hebert  
Total—1

## ABSENT

Ansardi	Farrar	Perkins
Crowe	Hudson	Scalise
Doerge	Martiny	Swilling
Total—9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 1154—**  
BY REPRESENTATIVE DIEZ

## AN ACT

To amend and reenact R.S. 32:387.7, relative to special permits; to provide relative to special permits for trucks hauling sugarcane; to provide relative to violations of the authorized weight limit; to provide relative to an appeal process for violations; to prohibit the issuance of special permits to certain trucks beginning August 1, 2008; to authorize the promulgation of rules and regulations; and to provide for related matters.

Read by title.

Rep. Diez moved the final passage of the bill.

## ROLL CALL

The roll was called with the following result:

## YEAS

Mr. Speaker	Glover	Peychaud
Alario	Green	Pierre
Alexander	Guillory	Pinac
Arnold	Hammett	Pitre
Baldone	Heaton	Powell
Baudoin	Hebert	Quezaire
Baylor	Hill	Richmond
Bowler	Honey	Romero
Broome	Hopkins	Salter
Bruce	Hudson	Scalise
Bruneau	Hunter	Schneider
Capella	Hutter	Schwegmann
Carter, K	Iles	Shaw
Carter, R	Jackson, L	Smith, G.—56th
Cazayoux	Jackson, M	Smith, J.D.—50th
Crane	Johns	Smith, J.H.—8th
Curtis	Katz	Smith, J.R.—30th
Damico	Kennard	Sneed
Daniel	Kenney	Stelly
Dartez	LaFleur	Strain
Devillier	Lancaster	Swilling
Diez	Landrieu	Thompson
Downer	LeBlanc	Toomy
Downs	Lucas	Townsend
Durand	Martiny	Triche
Erdey	McDonald	Tucker
Fannin	McVea	Waddell
Farrar	Montgomery	Walker
Faucheux	Morrell	Walsworth
Flavin	Morrish	Welch
Frith	Murray	Winston
Früge	Nevers	Wooton
Futrell	Odinet	Wright
Gallot	Perkins	
Total—101		

## NAYS

Total—0

## ABSENT

Ansardi	Crowe
Beard	Doerge
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 1170—**  
BY REPRESENTATIVE DAMICO

## AN ACT

To amend and reenact R.S. 30:2158(A)(2)(b) and 2226(H)(1), relative to contamination of groundwater through migration; to provide for prevention of migration from sanitary landfills; to provide for prevention of migration at certain hazardous waste sites; and to provide for related matters.

Read by title.

## Page 42 HOUSE

17th Day's Proceedings - May 1, 2003

Rep. Salter, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Salter on behalf of the Legislative Bureau to Engrossed House Bill No. 1170 by Representative Damico

#### AMENDMENT NO. 1

On page 2, line 11, following "H.(1)" and before "secretary" change "On or before January 1, 1989, the" to "The"

On motion of Rep. Salter, the amendments were adopted.

Rep. Damico moved the final passage of the bill, as amended.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Fruge	Psychaud
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Glover	Pitre
Arnold	Green	Powell
Baldone	Guillory	Quezaire
Baudoin	Hammett	Richmond
Baylor	Heaton	Romero
Beard	Hebert	Salter
Bowler	Hill	Scalise
Broome	Honey	Schneider
Bruce	Hopkins	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Jackson, M	Smith, J.R.—30th
Crane	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kennard	Strain
Daniel	Kenney	Swilling
Dartez	LaFleur	Thompson
Devillier	Lancaster	Toomy
Diez	Landrieu	Townsend
Doerge	LeBlanc	Triche
Downer	Lucas	Tucker
Downs	Martiny	Waddell
Durand	McDonald	Walker
Erdey	McVea	Welch
Fannin	Montgomery	Winston
Farrar	Morrish	Wooton
Faucheux	Murray	Wright
Flavin	Nevers	
Frith	Odinet	
Total—100		

#### NAYS

Total—0

#### ABSENT

Crowe	Morrell	Walsworth
Hudson	Perkins	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Damico moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

#### **HOUSE BILL NO. 1202—**

BY REPRESENTATIVES FUTRELL AND MONTGOMERY

#### AN ACT

To amend and reenact R.S. 37:2150, 2150.1(4), 2156(G), 2156.1(C), (F), and (H), 2156.2(D), and 2159(D) and to enact R.S. 37:2156.1(M), relative to the state Licensing Board for Contractors; to provide for legislative intent; to provide for licensure and regulation of persons who perform heating, ventilation, air conditioning, and refrigeration work; and to provide for related matters.

Read by title.

#### **Motion**

On motion of Rep. Futrell, the bill was returned to the calendar.

#### **HOUSE BILL NO. 1281—**

BY REPRESENTATIVE BALDONE

#### AN ACT

To amend and reenact R.S. 13:2586(C)(2) and 2587.1, R.S. 32:414(A)(3)(a) and (b), and R.S. 30:2522(3), 2531, 2531.5(D), 2531.6(A)(2), 2535(E), and 2544(D) and to repeal R.S. 30:2531.2, relative to littering; to provide for definitions; to prohibit intentional and simple littering; to provide for criminal and civil penalties; to provide for special court costs; to provide for jurisdiction of justices of the peace; to provide for prosecutorial powers of constables; to provide for enforcement; to provide for litter receptacles; to provide for litter-free zones; and to provide for related matters.

Read by title.

Rep. Salter, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Salter on behalf of the Legislative Bureau to Engrossed House Bill No. 1281 by Representative Baldone

#### AMENDMENT NO. 1

On page 5, line 16, following "of" and before "or" insert a comma ","

#### AMENDMENT NO. 2

On page 5, line 18, following "of" and before "litter" insert a comma ","

#### AMENDMENT NO. 3

On page 6, line 4, following "assessed" and before "dollar" change "one hundred fifty" to "seventy-five"

#### AMENDMENT NO. 4

On page 6, line 8, following "the" and before "dollar" change "one thousand" to "five hundred"

On motion of Rep. Salter, the amendments were adopted.

Rep. Baldone sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Baldone to Engrossed House Bill No. 1281 by Representative Baldone

#### AMENDMENT NO. 1

On page 6, line 4, delete, "one hundred fifty" and insert "seventy-five"

#### AMENDMENT NO. 2

On page 6, line 8, delete, "one thousand" and insert "five hundred"

#### AMENDMENT NO. 3

On page 10, after line 17, insert the following:

"Section 5. This Act shall become effective on January 1, 2004."

On motion of Rep. Baldone, the amendments were adopted.

Rep. Baldone moved the final passage of the bill, as amended.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Peychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Romero
Beard	Hill	Salter
Bowler	Honey	Scalise
Broome	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Jackson, M	Smith, J.R.—30th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Curtis	Kennard	Strain
Damico	Kenney	Thompson
Daniel	LaFleur	Toomy
Dartez	Lancaster	Townsend
Devillier	Landrieu	Triche
Diez	LeBlanc	Tucker
Downs	Lucas	Waddell
Durand	Martiny	Walker
Erdey	McDonald	Walsworth
Fannin	McVea	Welch
Farrar	Montgomery	Winston
Fauchoux	Morrish	Wooton
Flavin	Murray	Wright
Frith	Nevers	
Fruge	Odinet	
Total—100		

#### NAYS

Total—0

#### ABSENT

Doerge	Morrell	Swilling
Downer	Richmond	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Baldone moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

#### HOUSE BILL NO. 1304—

BY REPRESENTATIVES STELLY, FLAVIN, GUILLORY, JOHNS, AND MORRISH AND SENATORS CAIN, MOUNT, AND THEUNISSEN

#### AN ACT

To amend and reenact R.S. 27:392(B)(2)(b), (3)(b) and (c), (4), and (5), relative to the distribution of revenues derived under the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to provide for the distribution of such revenues in Calcasieu Parish; to make certain technical corrections; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Johns moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Fruge	Odinet
Alario	Futrell	Perkins
Alexander	Gallot	Peychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Curtis	Katz	Sneed
Damico	Kennard	Stelly
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devillier	Lancaster	Thompson
Diez	Landrieu	Toomy
Doerge	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Walker
Erdey	McVea	Walsworth

## Page 44 HOUSE

17th Day's Proceedings - May 1, 2003

Fannin  
Farrar  
Faucheux  
Flavin  
Frith  
Total—104

Montgomery  
Morrell  
Morrish  
Murray  
Nevers

Welch  
Winston  
Wooton  
Wright

NAYS

Total—0

ABSENT

Waddell  
Total—1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Johns moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 1397— BY REPRESENTATIVE DIEZ

AN ACT

To enact R.S. 38:2212(A)(3)(f), relative to public contracts; to prohibit allowances in certain contracts; and to provide for related matters.

Read by title.

Rep. Diez moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker  
Alario  
Alexander  
Ansardi  
Arnold  
Baldone  
Baudoin  
Baylor  
Bowler  
Broome  
Bruce  
Bruneau  
Capella  
Carter, K  
Carter, R  
Cazayoux  
Crane  
Crowe  
Curtis  
Daniel  
Dartez  
Devillier  
Diez  
Doerge  
Downer  
Downs  
Durand  
Erdey  
Fannin  
Farrar  
Faucheux

Gallot  
Glover  
Green  
Guillory  
Hammett  
Heaton  
Hebert  
Hill  
Honey  
Hopkins  
Hudson  
Hunter  
Hutter  
Iles  
Jackson, L  
Jackson, M  
Johns  
Katz  
Kennard  
Kenney  
LaFleur  
Lancaster  
Landrieu  
LeBlanc  
Lucas  
Martiny  
McDonald  
McVea  
Montgomery  
Morrell  
Morrish

Perkins  
Peychaud  
Pierre  
Pinac  
Pitre  
Powell  
Quezaire  
Richmond  
Romero  
Salter  
Scalise  
Schneider  
Schwegmann  
Shaw  
Smith, G.—56th  
Smith, J.D.—50th  
Smith, J.H.—8th  
Smith, J.R.—30th  
Sneed  
Strain  
Swilling  
Thompson  
Toomy  
Townsend  
Triche  
Tucker  
Waddell  
Walker  
Walsworth  
Welch  
Winston

Frith  
Fruge  
Futrell  
Total—101

Murray  
Nevers  
Odinet

Wooton  
Wright

NAYS

Total—0

ABSENT

Beard  
Damico  
Total—4

Flavin  
Stelly

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 1523—

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 6:969.37(B) and R.S. 9:3512(4) and 3514(A), relative to Louisiana Motor Vehicle Sales Finance Act; to increase certain fees; to provide for regulation of certain transactions under the Act; and to provide for related matters.

Read by title.

### Motion

On motion of Rep. Arnold, the bill was returned to the calendar.

### HOUSE BILL NO. 1630—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 40:1563(B)(introductory paragraph) and (4) and (C), relative to the state fire marshal; to provide for additional requirements for the creation and operation of fire prevention bureaus; to provide for jurisdictional rules for inspections; and to provide for related matters.

Read by title.

Rep. Pinac moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker  
Alario  
Alexander  
Ansardi  
Arnold  
Baldone  
Baudoin  
Baylor  
Beard  
Bowler  
Broome  
Bruneau  
Capella  
Carter, K

Frith  
Fruge  
Futrell  
Gallot  
Glover  
Green  
Guillory  
Hammett  
Heaton  
Hebert  
Hill  
Honey  
Hopkins  
Hudson

Perkins  
Peychaud  
Pierre  
Pinac  
Pitre  
Powell  
Quezaire  
Richmond  
Romero  
Salter  
Scalise  
Schneider  
Schwegmann  
Shaw

Carter, R	Hunter	Smith, G.—56th
Cazayoux	Hutter	Smith, J.D.—50th
Crane	Iles	Smith, J.H.—8th
Crowe	Jackson, L	Smith, J.R.—30th
Curtis	Jackson, M	Sneed
Damico	Johns	Stelly
Daniel	Kennard	Strain
Dartez	Kenney	Swilling
Devillier	LaFleur	Thompson
Diez	Lancaster	Toomy
Doerge	Landrieu	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Morrell	Welch
Farrar	Murray	Winston
Faucheux	Nevers	Wooton
Flavin	Odinet	Wright
Total—99		

NAYS

Katz  
Total—1

ABSENT

Bruce	Montgomery	Walsworth
LeBlanc	Morrish	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Pinac moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 1658—**

BY REPRESENTATIVE ALARIO

AN ACT

To enact R.S. 47:301(16)(l), relative to the sales and use tax; to provide for a local sales and use tax exclusion for certain other structures permanently attached to the ground; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Alario sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Alario to Engrossed House Bill No. 1658 by Representative Alario

**AMENDMENT NO. 1**

On page 2, at the end of line 2, delete the period and insert "which shall be treated as immovable property."

On motion of Rep. Alario, the amendments were adopted.

Rep. Alario moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

Mr. Speaker	Fruge	Odinet
Alario	Futrell	Perkins
Alexander	Gallot	Peychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Sneed
Crowe	Johns	Stelly
Curtis	Katz	Strain
Damico	Kennard	Swilling
Daniel	Kenney	Thompson
Dartez	LaFleur	Toomy
Devillier	Lancaster	Townsend
Diez	Landrieu	Triche
Doerge	LeBlanc	Tucker
Downer	Lucas	Waddell
Downs	Martiny	Walker
Durand	McDonald	Walsworth
Erdey	McVea	Welch
Fannin	Montgomery	Winston
Farrar	Morrell	Wooton
Faucheux	Morrish	Wright
Flavin	Murray	
Frith	Nevers	
Total—103		

NAYS

Total—0

ABSENT

Shaw	Smith, J.R.—30th
Total—2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Alario moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 1733—**

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2277(3) and to enact R.S. 30:2272(10), (11), and (12) and 2277(5), relative to liability for hazardous substance remedial action; to provide relative to such liability; and to provide for related matters.

Read by title.

Rep. Damico moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

# Page 46 HOUSE

17th Day's Proceedings - May 1, 2003

## YEAS

Mr. Speaker	Frith	Nevers
Alario	Fruge	Odinot
Alexander	Futrell	Perkins
Ansardi	Gallot	Peychaud
Arnold	Glover	Pierre
Baldone	Green	Pinac
Baudoin	Guillory	Pitre
Baylor	Hammett	Powell
Beard	Heaton	Quezaire
Bowler	Hebert	Richmond
Broome	Hill	Romero
Bruce	Honey	Salter
Bruneau	Hopkins	Scalise
Capella	Hudson	Schneider
Carter, K	Hunter	Schwegmann
Carter, R	Iles	Shaw
Cazayoux	Jackson, L	Smith, G.—56th
Crane	Jackson, M	Smith, J.D.—50th
Crowe	Johns	Smith, J.H.—8th
Curtis	Katz	Sneed
Damico	Kennard	Strain
Daniel	Kenney	Swilling
Dartez	LaFleur	Thompson
Devillier	Lancaster	Toomy
Diez	Landrieu	Townsend
Doerge	LeBlanc	Triche
Downer	Lucas	Tucker
Downs	Martiny	Waddell
Durand	McDonald	Walker
Erdey	McVea	Walsworth
Fannin	Montgomery	Welch
Farrar	Morrell	Winston
Faucheux	Morrish	Wooton
Flavin	Murray	Wright
Total—102		

## NAYS

Total—0

## ABSENT

Hutter	Smith, J.R.—30th	Stelly
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Damico moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 1871 (Substitute for House Bill No. 1624 by Representative Murray)— BY REPRESENTATIVE MURRAY

#### AN ACT

To amend and reenact R.S. 46:231(5), (6), and (8), 231.1, 231.3(A) and (B), 231.5(A), 231.6(A)(2), (B), and (C)(1) and (4), 231.7(A), (B), (C), and (D), 231.8(A) and (B), 231.10, 231.11, 460.4(A), 460.5(B)(3)(b)(iii), 460.8(A), and 460.9(A), to enact R.S. 46:230.1, 231(12), (13), and (14), and 231.6(D) and (E), and to repeal R.S. 46:231.12 and 460.4(B), relative to aid to needy families; to provide for legislative intent; to provide for definitions; to provide for certain required agreements; to provide for termination of eligibility; to provide for responsibilities of the Department of Social Services; to provide for responsibilities of the Louisiana Workforce Commission; to provide for evaluations and

screenings; to provide for transition of programs; and to provide for related matters.

Read by title.

## Motion

On motion of Rep. Murray, the bill was returned to the calendar.

### HOUSE BILL NO. 774—

BY REPRESENTATIVE PERKINS

#### AN ACT

To enact R.S. 48:281, relative to state highways; to prohibit closure of a lane of a state highway for landscaping or maintenance projects during peak traffic hours; to provide for exceptions; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Perkins moved the final passage of the bill.

## ROLL CALL

The roll was called with the following result:

## YEAS

Mr. Speaker	Fruge	Odinot
Alario	Futrell	Perkins
Alexander	Gallot	Peychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kennard	Strain
Daniel	Kenney	Swilling
Dartez	LaFleur	Thompson
Devillier	Lancaster	Toomy
Diez	Landrieu	Townsend
Doerge	LeBlanc	Triche
Downer	Lucas	Tucker
Downs	Martiny	Waddell
Durand	McDonald	Walker
Erdey	McVea	Walsworth
Fannin	Montgomery	Welch
Farrar	Morrell	Winston
Faucheux	Morrish	Wooton
Flavin	Murray	Wright
Frith	Nevers	
Total—104		

## NAYS

Total—0

ABSENT

Smith, J.R.—30th  
Total—1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Perkins moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### Petitions, Memorials and Communications

The following petitions, memorials, and communications were received and read:

### Message from the Senate

#### SENATE BILLS

May 1, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 9, 84, 255, 256, 295, 333, 402, 459, 471, 473, 572, 576, 577, 583, 591, 612, 627, 711, 728, 729, 771, 808, 829, 868, 870, 873, 964, 1020, 1041, 1043, and 1047

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

### Suspension of the Rules

On motion of Rep. Curtis, the rules were suspended in order to take up the bills contained in the message at this time.

### Senate Bills and Joint Resolutions on First Reading

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

#### SENATE BILL NO. 9— BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 33:1421(C), relative to participation by sheriffs in a deferred compensation plan; authorizes participation by sheriffs in the matched portion of an eligible deferred compensation program established pursuant to Section 457 of the Internal Revenue Code; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 84— BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 48:1002(A), relative to ferries; to provide for the period of appropriation of state funds for operation and maintenance of the Monkey Island Ferry located in Cameron Parish; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 255— BY SENATOR DARDENNE

AN ACT

To amend and reenact Code of Civil Procedure Art. 2031, relative to revival of judgments; to provide for the revival of money judgments by ex parte motion; to remove the requirement of serving the judgment debtor; to provide that notice of signing of the judgment of revival be sent to the debtor; to provide for attorney's fees; to provide for annulment of a judgment revived by fraud or in error; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 256— BY SENATOR DARDENNE

AN ACT

To enact R.S. 42:1159, relative to electronic access to certain information of the Board of Ethics; to require the Board of Ethics to make certain information accessible to the public via the Internet; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 295— BY SENATOR DARDENNE

AN ACT

To amend and reenact Code of Criminal Procedure Art. 571.1 and 572 and to enact Code of Criminal Procedure Art. 572.1, relative to time limitations of prosecution; to repeal such limitations on certain offenses under certain conditions; to provide for definitions; to provide for retroactive application of provisions; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 333— BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 14:212(A), relative to offenses against property; to provide that willfully or knowingly making false statements relative to the ownership interest, tract name or property description of forest products during a transaction is a crime; to provide criminal penalties therefor; and to provide for related matters.

Read by title.

#### SENATE BILL NO. 402— BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 30:2012(D), relative to environmental quality; to provide that the Department of Environmental Quality develop new criteria for compliance inspections; and to provide for related matters.

Read by title.

## Page 48 HOUSE

17th Day's Proceedings - May 1, 2003

### SENATE BILL NO. 459—

BY SENATORS CAIN, MCPHERSON, MOUNT, SCHEDLER AND THEUNISSEN

#### AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(a)(iii), relative to the Tuition Opportunity Program for Students; to provide relative to the eligibility of the dependent child of a member of the United States armed forces who is not and does not become a resident of the state, but who lives in the state under permanent change of station orders; to revise certain language; and to provide for related matters.

Read by title.

### SENATE BILL NO. 471—

BY SENATORS HOYT, THEUNISSEN, THOMAS, DARDENNE AND MOUNT AND REPRESENTATIVE CRANE

#### AN ACT

To amend and reenact R.S. 9:154(A)(15) and (C), R.S. 17:3092(1) and (12), 3096(C), 3098(B)(2), and 3129.4(C)(1), and R.S. 44:4.1(8), and to enact R.S. 9:154(A)(16), R.S. 17:3093(D)(1)(i), 3096(A)(1)(e) and (E)(3)(d), and 3098(B)(3), relative to the Student Tuition Assistance and Revenue Trust Program; to provide for administration of the program; to provide for certain education savings accounts to be presumed as abandoned property; to provide for and expand program participation; to provide for interest on accounts; to provide for refunds upon termination; to provide for the designation of beneficiaries; to exclude certain records pertaining to education savings accounts from the public records law; and to provide for related matters.

Read by title.

### SENATE BILL NO. 473—

BY SENATOR HINES

#### AN ACT

To amend and reenact R.S. 9:391.1(A), relative to children conceived after the death of a parent; to provide that a child conceived after the death of a parent has all of the rights of a child as if the child had been in existence at the time of the death of the parent including the capacity to inherit from the deceased parent; to provide for the Louisiana State Law Institute to draft comments; and to provide for related matters.

Read by title.

### SENATE BILL NO. 572—

BY SENATOR DARDENNE

#### AN ACT

To amend and reenact R.S. 40:1299.96(A)(2)(b), relative to health care records; to provide that the cost limitation shall apply to any party to pending litigation; and to provide for related matters.

Read by title.

### SENATE BILL NO. 576—

BY SENATORS FONTENOT AND CAIN

#### AN ACT

To enact R.S. 30:2050.7(E)(4), relative to settlements by the secretary of the Department of Environmental Quality of suits for civil penalties; to provide relative to uses of settlement money; to authorize the payment of such settlements; and to provide for related matters.

Read by title.

### SENATE BILL NO. 577—

BY SENATOR FONTENOT

#### AN ACT

To enact R.S. 30:2025(D), relative to enforcement of environmental violations; to provide for a program for expedited enforcement for minor environmental violations; to authorize the secretary to promulgate rules and regulations; and to provide for related matters.

Read by title.

### SENATE BILL NO. 583—

BY SENATOR MARIONNEAUX

#### AN ACT

To amend and reenact the introductory paragraph of R.S. 2:654(B) and 654(C), (F), (H)(3), and (J), and to enact R.S. 2:654(B)(14) and (15), relative to the Louisiana Airport Authority; to provide for representation from certain parishes on the board of commissioners; to provide for the term of office of each new member; and to provide for related matters.

Read by title.

### SENATE BILL NO. 591—

BY SENATOR DARDENNE

#### AN ACT

To enact R.S. 33:9029.2(C), relative to cooperative endeavors involving the state; to require approval of public contracts for such cooperative endeavors by the State Bond Commission prior to execution; and to provide for related matters.

Read by title.

### SENATE BILL NO. 612—

BY SENATOR B. JONES

#### AN ACT

To enact R.S. 46:153.4 and to repeal R. S. 46:153(G), relative to the Department of Health and Hospitals; to provide for the Medicaid Estate Recovery program in the department; and to provide for related matters.

Read by title.

### SENATE BILL NO. 627—

BY SENATOR IRONS

#### AN ACT

To amend and reenact R.S. 14:102.1(A)(1)(c) and (B)(1), relative to offenses affecting the public sensibility; to provide relative to cruelty to animals; to provide relative to the care of animals; to provide relative to the killing of animals; and to provide for related matters.

Read by title.

### SENATE BILL NO. 711—

BY SENATOR MARIONNEAUX

#### AN ACT

To enact R.S. 14:67.22, relative to crimes of misappropriation without violence; to provide relative to fraud; to create the crime of fraudulent acquisition of a credit card; to provide for definitions; to provide for penalties; and to provide for related matters.

Read by title.

### SENATE BILL NO. 728—

BY SENATOR C. JONES

#### AN ACT

To enact R.S. 11:553(18), relative to Louisiana State Employees' Retirement System; to provide with respect to eligible judges and court officers; to include the judicial administrator and his deputies for the Fourth Judicial District Court for the parishes of



Morehouse and Ouachita; to provide for an effective date; and to provide for related matters.

Read by title.

**SENATE BILL NO. 729—**

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 32:387.5, relative to special permits; to authorize vehicles traveling under special permits to use a portion of Interstate 49 as an alternate route for certain highways; and to provide for related matters.

Read by title.

**SENATE BILL NO. 771—**

BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 23:1127(C)(2), relative to workers' compensation; to provide with respect to medical examinations; to require any party scheduling a conference to bear the responsibility of paying any fees charged; and to provide for related matters.

Read by title.

**SENATE BILL NO. 808—**

BY SENATOR JOHNSON

AN ACT

To enact R.S. 33:9038.24, relative to special districts; to create the Lake Forest Plaza District; to provide for the powers and duties of the district; and to provide for related matters.

Read by title.

**SENATE BILL NO. 829—**

BY SENATOR BARHAM

AN ACT

To enact Part XXVI of Chapter 13 of Title 38, consisting of R.S. 38:3087.190 through 3087.194, relative to water conservation; to create the Morehouse Parish Lake Commission; to provide for powers, membership, officers, terms, meetings, and compensation of the commission; and to provide for related matters.

Read by title.

**SENATE BILL NO. 868—**

BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 33:9072(D)(1)(a) and (c) and (2), relative to the Lake Forest Estates Improvement District; to provide for a majority approval of any fees or taxes imposed within the district; and to provide for related matters.

Read by title.

**SENATE BILL NO. 870—**

BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 33:9073.1(B) and (E), relative to the Huntington Park Subdivision Improvement District; to clarify the boundaries of the district; to provide for a majority approval by the electors of the district of any fees or taxes imposed within the district; and to provide for related matters.

Read by title.

**SENATE BILL NO. 873—**

BY SENATOR JOHNSON

AN ACT

To enact R.S. 33:4880, relative to illegal dumping; to authorize the governing authority for the parish of Orleans to increase the fine for illegal dumping; and to provide for related matters.

Read by title.

**SENATE BILL NO. 964—**

BY SENATOR B. JONES

AN ACT

To amend and reenact R.S. 14:403.2(E)(6) through (8), the introductory paragraph of (F)(1) and (F)(1)(e), (G), (I)(2), and (N)(1) through (4) and to enact R.S. 14:403.2(D)(5), relative to abuse and neglect of adults; to provide for reports to law enforcement; to provide access to information necessary for abuse and neglect investigations; to provide relative to hearings on abuse and neglect; to provide for both verbal and emergency protective orders; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1020—**

BY SENATOR ULLO

AN ACT

To enact R.S. 33:423.13, relative to powers and duties of the chief of police in the town of Grand Isle; to authorize the chief of police in the town of Grand Isle to hire and fire his personnel; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1041—**

BY SENATOR IRONS

AN ACT

To amend and reenact R.S. 9:2440, relative to testaments; to provide for the continued validity of certain previously executed testaments; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1043—**

BY SENATOR CAIN

AN ACT

To designate a portion of Louisiana Highway 394 in Beauregard Parish as the "Clayton Iles Memorial Highway".

Read by title.

**SENATE BILL NO. 1047 (Substitute for Senate Bill No. 48)—**

BY SENATOR HAINKEL

AN ACT

To designate a portion of Interstate 55 as the "Congressman Jimmy Morrison Highway".

Read by title.

**Message from the Senate**

**APPOINTMENT OF  
CONFERENCE COMMITTEE**

May 1, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like

committee from the House to confer on the disagreement to Senate Bill No. 710: Senators Theunissen, Mount, and B. Jones.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

### Message from the Senate

#### SIGNED SENATE CONCURRENT RESOLUTIONS

May 1, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 6, 22,40, 41, 42, 44, 46, 48, 50, 52, 53, 54, 55, 59, 60, and 62.

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

The Senate Concurrent Resolutions contained herein were signed by the Speaker of the House.

### Message from the Senate

#### SIGNED SENATE BILLS AND JOINT RESOLUTIONS

May 1, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Bills:

Senate Bill No. 225

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

The Senate Bills contained herein were signed by the Speaker of the House.

### Introduction of Resolutions, House and House Concurrent

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

#### HOUSE RESOLUTION NO. 42—

BY REPRESENTATIVE MONTGOMERY

##### A RESOLUTION

To allow the Louisiana State Racing Commission additional time to study the feasibility, practicality, and impact of licensing additional racing facilities to conduct live horse racing within the boundaries of the state, specifically considering the potential legal and economic ramifications of such additions.

Read by title.

Lies over under the rules.

#### HOUSE CONCURRENT RESOLUTION NO. 140—

BY REPRESENTATIVE MORRELL

##### A CONCURRENT RESOLUTION

To direct the House Committee on Commerce and the Senate Committee on Commerce, Consumer Protection, and International Affairs to study the reason why the increase in the price of gasoline has been greater than the increase in the price of crude oil for the first three months of 2003.

Read by title.

Lies over under the rules.

#### HOUSE CONCURRENT RESOLUTION NO. 141—

BY REPRESENTATIVE L. JACKSON

##### A CONCURRENT RESOLUTION

To recognize May of 2003 as hepatitis C Awareness and Education Month at the Louisiana Legislature.

Read by title.

On motion of Rep. Lydia Jackson, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

### Reports of Committees

The following reports of committees were received and read:

#### Report of the Committee on Judiciary

May 1, 2003

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on April 30, 2003, I am directed by your Committee on Judiciary to submit the following report:

House Bill No. 76, by Doerge  
Reported favorably. (10-0-1) (Regular)

House Bill No. 101, by Powell  
Reported favorably. (10-0-1) (Regular)

House Bill No. 462, by Martiny  
Reported favorably. (10-0-1) (Regular)

House Bill No. 484, by John Smith  
Reported favorably. (10-0-1) (Regular)

House Bill No. 485, by Toomy  
Reported favorably. (10-0-1) (Regular)

House Bill No. 577, by Martiny  
Reported favorably. (10-0-1) (Regular)

House Bill No. 693, by Farrar  
Reported favorably. (10-0-1) (Regular)

House Bill No. 877, by Toomy  
Reported favorably. (10-0-1) (Regular)

House Bill No. 1089, by McVea  
Reported favorably. (8-0-1) (Regular)

House Bill No. 1093, by Toomy  
Reported favorably. (10-0-1) (Regular)

House Bill No. 1143, by Richmond  
Reported favorably. (8-0-1) (Regular)

House Bill No. 1144, by Richmond  
Reported with amendments. (8-0-1) (Regular)

House Bill No. 1640, by Toomy  
Reported favorably. (9-0-1) (Regular)

JOSEPH F. TOOMY  
Chairman

**Report of the Committee on Labor and Industrial Relations**

May 1, 2003

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on April 30, 2003, I am directed by your Committee on Labor and Industrial Relations to submit the following report:

House Bill No. 824, by Bowler  
Reported favorably. (12-0) (Regular)

House Bill No. 1355, by Powell  
Reported favorably. (12-0) (Regular)

House Bill No. 1097, by Pitre  
Reported with amendments. (12-0) (Regular)

House Bill No. 1770, by Jack Smith  
Reported with amendments. (8-4) (Regular)

ELCIE GUILLORY  
Chairman

**Report of the Committee on  
Municipal, Parochial and Cultural Affairs**

May 1, 2003

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on April 30, 2003, I am directed by your Committee on Municipal, Parochial and Cultural Affairs to submit the following report:

House Bill No. 343, by Hammett  
Reported favorably. (9-0-1) (Regular)

House Bill No. 363, by Salter  
Reported favorably. (7-0-1) (Regular)

House Bill No. 422, by Peychaud  
Reported favorably. (10-0-1) (Local and Consent)

House Bill No. 722, by DeWitt

Reported with amendments. (9-0-1) (Regular)

House Bill No. 852, by Quezaire  
Reported with amendments. (9-0-1) (Local & Consent)

House Bill No. 985, by McDonald  
Reported favorably. (10-0-1) (Regular)

House Bill No. 1346, by Alario  
Reported favorably. (8-0-1) (Regular)

House Bill No. 1385, by Guillory  
Reported favorably. (9-0-1) (Regular)

House Bill No. 1682, by Karen Carter  
Reported with amendments. (10-0-1) (Regular)

SHARON WESTON BROOME  
Chairman

**Report of the Committee on Retirement**

May 1, 2003

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on April 30, 2003, I am directed by your Committee on Retirement to submit the following report:

House Bill No. 138, by Triche  
Reported favorably. (11-0) (Local and Consent)

House Bill No. 410, by McVea  
Reported with amendments. (10-0) (Local and Consent)

House Bill No. 580, by Daniel  
Reported favorably. (9-0) (Local and Consent)

House Bill No. 758, by Daniel  
Reported with amendments. (9-0) (Local and Consent)

House Bill No. 866, by Beard  
Reported with amendments. (9-0) (Local and Consent)

House Bill No. 903, by Schneider  
Reported favorably. (9-0) (Local and Consent)

House Bill No. 904, by Schneider  
Reported with amendments. (9-0) (Local and Consent)

House Bill No. 905, by Schneider  
Reported with amendments. (9-0) (Local and Consent)

House Bill No. 906, by Schneider  
Reported with amendments. (10-0) (Local and Consent)

House Bill No. 911, by Schneider  
Reported favorably. (9-0) (Local and Consent)

House Bill No. 912, by Schneider  
Reported with amendments. (10-0) (Local and Consent)

House Bill No. 914, by Schneider  
Reported favorably. (10-0) (Local and Consent)

House Bill No. 1279, by Schneider  
Reported favorably. (10-0) (Local and Consent)

M. P. "PETE" SCHNEIDER III  
Chairman

---

## Page 52 HOUSE

17th Day's Proceedings - May 1, 2003

---

### **Report of the Committee on Administration of Criminal Justice**

May 1, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Administration of Criminal Justice to submit the following report:

House Bill No. 158, by Martiny  
Reported favorably. (8-0) (Regular)

House Bill No. 162, by Martiny  
Reported favorably. (8-0) (Regular)

House Bill No. 169, by Baldone  
Reported with amendments. (8-0) (Regular)

House Bill No. 270, by Martiny  
Reported favorably. (8-0) (Regular)

House Bill No. 816, by Murray  
Reported with amendments. (6-0) (Regular)

House Bill No. 884, by Heaton  
Reported with amendments. (7-0) (Regular)

House Bill No. 1062, by Martiny  
Reported with amendments. (8-0) (Regular)

House Bill No. 1184, by Martiny  
Reported with amendments. (7-0) (Regular)

House Bill No. 1806, by Toomy  
Reported with amendments. (6-0) (Regular)

House Bill No. 1849, by DeWitt  
Reported favorably. (6-0) (Regular)

DANIEL MARTINY  
Chairman

### **Report of the Committee on Education**

May 1, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Education to submit the following report:

House Bill No. 214, by John Smith  
Reported with amendments. (11-0) (Regular)

House Bill No. 778, by Triche  
Reported with amendments. (14-0) (Regular)

House Bill No. 1309, by Robert Carter  
Reported with amendments. (12-0) (Regular)

House Bill No. 1394, by Thompson  
Reported with amendments. (13-0) (Regular)

House Bill No. 1470, by Salter  
Reported with amendments. (12-0) (Regular)

CARL CRANE  
Chairman

### **Report of the Committee on Health and Welfare**

May 1, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Health and Welfare to submit the following report:

House Concurrent Resolution No. 74, by Winston  
Reported with amendments. (12-0)

House Bill No. 953, by Winston  
Reported with amendments. (7-5) (Regular)

House Bill No. 957, by Welch  
Reported with amendments. (11-0) (Regular)

House Bill No. 1108, by Montgomery  
Reported with amendments. (11-2) (Regular)

SYDNIE MAE DURAND  
Chairman

### **Report of the Committee on Insurance**

May 1, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Insurance to submit the following report:

House Bill No. 386, by Crowe  
Reported by substitute. (10-0) (Regular)

House Bill No. 1082, by Hebert  
Reported by substitute. (10-0) (Regular)

House Bill No. 1691, by Hebert  
Reported with amendments. (10-0) (Regular)

House Bill No. 1788, by Morrish  
Reported with amendments. (9-1) (Regular)

TROY HEBERT  
Chairman

### **Report of the Committee on House and Governmental Affairs**

May 1, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on House and Governmental Affairs to submit the following report:

House Bill No. 180, by Montgomery  
Reported with amendments. (10-3) (Regular)

House Bill No. 1610, by Sneed  
Reported with amendments. (9-2) (Regular)

House Bill No. 1354, by Downer  
Reported favorably. (12-0) (Regular)

CHARLES D. LANCASTER, JR.  
Chairman

**Privileged Report of the Legislative Bureau**

May 1, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following report:

Senate Bill No. 45  
Reported without amendments.

Senate Bill No. 574  
Reported without amendments.

Senate Bill No. 798  
Reported without amendments.

Respectfully submitted,

JOE SALTER  
Chairman

**House Bills and Joint Resolutions on  
Second Reading to be Referred**

The following House Bills and Joint Resolutions on second reading to be referred were taken up, read, and referred to committees, as follows:

**Motion**

On motion of Rep. Landrieu, the Committee on House and Governmental Affairs was discharged from further consideration of House Bill No. 1683.

**HOUSE BILL NO. 1683—**

BY REPRESENTATIVES LANDRIEU, HUNTER, MARTINY, AND WINSTON  
AND SENATORS CRAVINS, BAJOE, LENTINI, MICHOT, AND MOUNT  
AN ACT

To amend and reenact R.S. 15:906(A) and R.S. 46:2601(A)(1), 2603(A) and (B)(2), and 2604 and Children's Code Articles 810 and 897.1, to enact Part XII of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1111, Chapter 14 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1461 through 1464, Subpart C-1 of Part III of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:251 and 252, Chapter 11 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 24:671 through 673, Part I of Chapter 45 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2600, R.S. 46:2605.1, 2605.2, 2605.3 and 2605.4, and Part III of Chapter 45 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2608 through 2611, to designate Part II of Chapter 45, comprising R.S. 46:2601 through 2606 as "Part II. Children's Cabinet, Children's Budget, and Affiliated Boards", and to repeal R.S. 15:906(B) and R.S. 46:2607, all relative to the reform of juvenile justice; to create the Juvenile Justice Reform Act of 2003; to establish juvenile detention standards and licensing procedures; to establish interagency agreements for sharing of juvenile information; to create the Joint Legislative Juvenile Justice Policy Priority Committee, including a plan for the recommendation of a Department of Children, Youth, and Families; to create the Education/Juvenile Justice Partnership Act; to continue beyond August 15, 2003, the Children's Cabinet; to provide definitions for certain provisions governing the Children's Cabinet; to provide with respect to the powers and duties of the Children's Cabinet; to provide with respect to the preparation of the children's budget; to create the Children's Cabinet Research Council; to create the Louisiana Juvenile Justice Planning and Coordination Board; to

create nine regional juvenile justice planning and coordination advisory boards; to provide for the standardization of service regions; to create the Louisiana Children's Children, Youth, and Families Investment Fund, to create the Community-based Sanctions and Services Grant Program; to provide with respect to waiver of counsel for children; to provide with respect to disposition after adjudication of certain felony-grade delinquent acts; and to provide for related matters.

Read by title.

On motion of Rep. Landrieu, the bill was recommitted to the Committee on Judiciary.

**Senate Bills and Joint Resolutions on  
Second Reading to be Referred**

The following Senate Bills and Joint Resolutions on second reading to be referred were taken up, read, and referred to committees, as follows:

**SENATE BILL NO. 718—**

BY SENATORS HOLLIS AND HEITMEIER  
AN ACT

To amend and reenact R.S. 6:217(B) and (C), 232(C), 352.1(H)(4), 361(B)(2), 364.1(B), 365.1(A)(4), 366(E), 367(B)(7), 706(D), (E), and (F), 721(C)(4), (D), and (F), 862, 863(B), 868(E), 938(C), 1273(C), and 1284(5), relative to financial institution filing requirements; to eliminate document filing requirements with the secretary of state; and to provide for related matters.

Called from the calendar.

Read by title.

**Motion**

Rep. Pinac moved that Senate Bill No. 718 be designated as a duplicate of House Bill No. 225.

Which motion was agreed to.

**Motion**

On motion of Rep. Pinac, the above bill was referred to the Legislative Bureau.

**Motion**

On motion of Rep. Durand, the Committee on Administration of Criminal Justice was discharged from further consideration of Senate Bill No. 745.

**SENATE BILL NO. 745—**

BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 14:67.1 and to repeal R.S. 14:67.4 and 67.5, relative to theft; to provide relative to theft of livestock; to define such theft; to include certain things within such definition; to provide for presumptive evidence of intent to deprive a person of livestock or proceeds from sale of livestock; to provide for an affirmative defense; to define livestock; to provide penalties; and to provide for related matters.

Read by title.

**Motion**

## Page 54 HOUSE

17th Day's Proceedings - May 1, 2003

Rep. Durand moved that Senate Bill No. 745 be designated as a duplicate of House Bill No. 1191.

Which motion was agreed to.

Rep. Durand moved that Senate Bill No. 745 be amended to conform with House Bill No. 1191 and sent up the following floor amendments:

### HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Durand to Reengrossed Senate Bill No. 745 by Senator Smith (Duplicate of House Bill No. 1191)

#### AMENDMENT NO. 1

On page 1, line 3, after "to provide" delete "relative to" and insert "for the crime of"

#### AMENDMENT NO. 2

On page 1, line 3, after "livestock;" delete the remainder of the line and delete line 4 in its entirety and insert "to provide for criminal intent; to provide for criminal penalties; to provide for"

#### AMENDMENT NO. 3

On page 1, line 5, after "evidence" delete the remainder of the line and delete line 6 in its entirety and insert "and affirmative defenses;"

#### AMENDMENT NO. 4

On page 1, line 7, after "livestock;" delete "to provide penalties;" and insert "to repeal the crimes of theft of domesticated fish from fish farms and theft of crawfish;"

#### AMENDMENT NO. 5

On page 2, line 13, after "of the" delete "owner" and insert "other"

#### AMENDMENT NO. 6

On page 2, line 15, after "deprive the" delete "owner" and insert "other"

#### AMENDMENT NO. 7

On page 2, line 21, delete the comma "," after "meat"

#### AMENDMENT NO. 8

On page 2, at the end of line 24, delete "an" and insert "the owner,"

#### AMENDMENT NO. 9

On page 2, line 25, after "dealer," insert "or" and at the end of the line and the beginning of line 26, delete "or owner,"

#### AMENDMENT NO. 10

On page 2, line 26, after "of the" insert "owner," and after "dealer," insert "or"

#### AMENDMENT NO. 11

On page 3, line 1, delete "or owner,"

#### AMENDMENT NO. 12

On page 3, line 7, change "Either" to "Any"

#### AMENDMENT NO. 13

On page 3, line 18, after "by the" insert "owner," and after "dealer," insert "or"

#### AMENDMENT NO. 14

On page 3, line 20, insert a comma "," after "requested"

#### AMENDMENT NO. 15

On page 3, line 23, delete the comma "," after "include" and delete the comma "," after "limited to"

#### AMENDMENT NO. 16

On page 4, line 1, delete the comma after "animal"

#### AMENDMENT NO. 17

On page 4, line 2, after "profit" change the comma "," to a semicolon ";" and change "used" to "or"

#### AMENDMENT NO. 18

On page 4, line 3, insert a comma "," after "aquaculture" and after "or for" delete "other"

#### AMENDMENT NO. 19

On page 4, at the end of line 3, delete "used in the" and at the beginning of line 4, delete "production of" and insert "for the purpose of producing"

#### AMENDMENT NO. 20

On page 4, line 5, delete "This definition includes, but is not limited to," and insert ""Livestock" also includes" and at the end of the line insert a comma "," after "oxen"

#### AMENDMENT NO. 21

On page 4, line 7, after "turkeys" change the semicolon ";" to a comma ","

#### AMENDMENT NO. 22

On page 4, line 9, insert a comma "," after "ratites" and at the end of the line insert a comma "," after "turtles"

#### AMENDMENT NO. 23

On page 4, line 13, after "waters;" delete the remainder of the line and on line 14, delete "any crawfish pond;"

On motion of Rep. Durand, the amendments were adopted.

### Motion

On motion of Rep. Durand, the above bill, as amended, was referred to the Legislative Bureau.

### Privileged Report of the Committee on Enrollment

May 1, 2003

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Resolutions have been properly enrolled:

**HOUSE RESOLUTION NO. 39—**

BY REPRESENTATIVE MARTINY

**A RESOLUTION**

To commend Ryan Olson upon achieving the rank of Eagle Scout.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

**Privileged Report of the Committee on Enrollment**

May 1, 2003

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Concurrent Resolutions have been properly enrolled:

**HOUSE CONCURRENT RESOLUTION NO. 135—**

BY REPRESENTATIVES QUEZAIRE AND DEVILLIER AND SENATOR MARIONNEAUX

**A CONCURRENT RESOLUTION**

To express the condolences of the Legislature of Louisiana upon the death of Mrs. Ethel Wilson.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

**Adjournment**

On motion of Rep. Lucas, at 6:00 P.M., the House agreed to adjourn until Monday, April 5, 2003, at 4:00 P.M.

The Speaker of the House declared the House adjourned until 4:00 P.M., Monday, April 5, 2003.

ALFRED W. SPEER  
Clerk of the House

